

EXTENSIONS OF REMARKS

SENATOR RANDOLPH SUPPORTS REPORT OF DR. LEON S. MINCKLER ON U.S. FOREST SERVICE MANAGEMENT ON MONONGAHELA AND JEFFERSON NATIONAL FORESTS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, June 8, 1973

Mr. RANDOLPH. Mr. President, clearcutting on our national forest lands and especially the practice of even-aged management in eastern mixed hardwood forests, utilizing clearcutting as the final harvest tool, continues to receive wide criticism from many circles.

On the Monongahela National Forest, to which I have addressed myself on numerous occasions, there have been some changes from the devastating 500-acre clearcuts and the inadequately spaced clearcuts which in fact look as though they were one.

Also, supervisors have changed. Frederick A. "Tony" Dorrell has been promoted and now is assistant director to fire management in the Washington office and Alfred Troutt was transferred from the Hiawatha National Forest to the Monongahela to take over the duties as supervisor.

Troutt assumed his duties in the middle of a serious controversy, which the Forest Service on several occasions unwisely refused to acknowledge exists, and he has made some beneficial changes.

Troutt, as well as Dorrell, has adhered to some of the recommendations of the West Virginia Forest Management Practices Commission, set up by the West Virginia Legislature to investigate Forest Service management in West Virginia.

The crux of the issue is contained in recommendations 5 and 6 of the Commission report, released August 1, 1970. There recommendations are:

5. To implement the multiple use, sustained yield policy in national forests in West Virginia, we recommend that both uneven-aged and even-aged forest management be employed to manage the timber resource but with the greater emphasis place on uneven-aged management. We believe full multiple use and sustained yield of all resources cannot be accomplished if even-aged management is used as the basic timber management system throughout the national forests.

In the use of these two forest management regeneration methods, we believe to implement full multiple use, sustained yield, all techniques of silviculture that can be applied within these two systems must be used as tools by the forester.

6. As the main silvicultural technique to implement uneven-aged management, we recommend that the selection cutting system be used; that it be the primary and basic silvicultural technique used to manage the timber resource in national forests in West Virginia; and that it be the normal silvicultural technique employed where it can

feasibly and logically be used to accomplish the regeneration and harvest of the timber resources.

And the Forest Service is adamantly steadfast in its stubborn and uncompromising refusal to accept these two basic recommendations. Supervisor Troutt has, however, indicated he would accept these recommendations if some changes were made but those changes would, in fact, completely nullify the very clear and precise intention contained therein.

I, and members of my staff, have met with Chief John R. McGuire, former Chief Edward P. Cliff, Mr. Troutt, Mr. Dorrell, and other officials of the Forest Service to express our sincere belief—supported by many professional foresters—that the Forest Service is employing a management practice of irreparable damage on the Monongahela, including a change of composition to that which the Forest Service believes to be a "more desirable species."

The Forest Service now is being challenged in U.S. Federal court in Elkins, W. Va., because of its management techniques and timber harvesting practices.

The Senate Subcommittee on Public Lands, chaired by the Honorable FRANK CHURCH, held hearings on the issue of clearcutting on National Forest lands at which time many interested, knowledgeable and even professional foresters testified as to the adverse effects of the then timber management practices and techniques on the Monongahela National Forest and other eastern mixed hardwood forests.

Among those who testified was Dr. Leon S. Minckler, adjunct professor of silviculture at Syracuse University. Dr. Minckler, a respected and highly qualified authority, has recently toured the Monongahela National Forest, primarily the Gauley Ranger District, and portions of the Jefferson National Forest. He sent me this report on forest management in West Virginia and it represents an extremely well-reasoned, concise and extremely valuable analysis on timber harvest practices.

In his letter to me, Dr. Minckler states:

The amenity and environmental values alone are enough to diminish clearcutting in the eyes of the public but clearcutting immature forests involves great present and future waste of timber products.

He continues:

Although more immediately expensive, intensive selection silviculture could provide a maximum yield of wood products and still preserve the amenity and environmental values. This cannot be done by clearcutting in eastern hardwood forests.

This is a stern warning from an expert who views with alarm the serious implications of present U.S. Forest Service management on the Monongahela National Forest.

Mr. President, I ask unanimous consent to have the report, dated May 30, from Dr. Minckler printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. RANDOLPH. Dr. Minckler's conclusions, which I believe are important, indicate that:

Clearcutting in any event is not ecologically appropriate for the great diversity of sites and conditions found in West Virginia and elsewhere in the east. Clearcutting is based more on convenience and administrative considerations than on silvicultural imperatives and the needs of the people.

Further, Dr. Minckler states that:

The objective of forest management on the National Forests should be the maximum long term use and value to people, not bureaucratic convenience or short term dollar returns. Clearcutting as presently practiced in the Appalachian area does not fulfill this objective and it preempts alternative forest management policies for 100 years or more in the future.

Prior to 1964, when even-aged management was employed as the system on the general forest zone, nearly all West Virginians supported the Forest Service as stalwarts committed to a beneficial cause for all citizens.

Today, however, with the exception of some who are interested only in high volume and not true multiple use, many thousands of West Virginians are aghast at Forest Service management practices.

Our citizens see much talk, little action. Although there has been a decrease in clearcutting in the last year on the Monongahela, there likewise has been a reduction in timber sales.

And, although there has been a very slight increase in selection cutting on the general forest zone, there nevertheless remains a very substantial amount of clearcutting with resulting devastation employed in areas which, perhaps, should not be cut at all at this time.

It is necessary, I believe, to address myself also to the financial problem relating to timber harvesting activities as it affects county school budget in those counties within the Monongahela National Forest.

Counties are reimbursed 25 percent of the sale of timber within their borders which currently is used for operation of county schools.

Due to decreased timber sale brought about, in part, by concerned citizens and officials demanding revised sales and also through an attitude by the Forest Service that if they cannot clearcut they will not offer sales for bidding, many county school systems are receiving less funds than in years past.

Some of the superintendents of schools are unjustly blaming conservationists and concerned citizens who have been active in having sales withdrawn or redesigned when, in fact, the real culprit is the Forest Service.

Sales easily could be designed which would create no furor and which would result in substantially the same volume of timber as was cut prior to 1964.

If the Forest Service would accept rec-

ommendations 5 and 6 and return to the uneven-aged system of management, with careful control of clearcutting, utilizing it only when the occasion demands, instead of wholesale clearcutting which now is employed, county school personnel, many interested citizens, conservation organizations, and this Senator would be grateful. We should again join in a cooperative effort to insure that the forest meets the needs of all its users and is not solely an area providing for timber sales.

EXHIBIT 1

APPRAISAL OF CLEARCUTTING ON THE
MONONGAHELA NATIONAL FOREST

(By Leon S. Minckler)

On May 21 and 22, 1973, I visited the Gauley Ranger District of the Monongahela National Forest to view the forest and some of the timber sales. I was guided by Mr. L. W. Deitz, Mr. Howard Deitz, and Mr. Ralph Smoot. Previously I had studied the report of the "West Virginia Forest Management Practices Commission" and had myself testified on April 5, 1971, at the Church subcommittee hearings on clearcutting in Washington, D.C. I was favorably impressed with the West Virginia Commission report as it tended to agree with my 33 years of research with the U.S. Forest Service and the teaching of silviculture in four forestry colleges in the East.

We saw a half-dozen or so recently clearcut areas and drove many miles of forest roads in the Gauley District. We also examined forest areas designated for both clear cutting and selection harvest cutting. Both the Deitz men and Mr. Smoot, a former Ranger there, are intimately acquainted with the area.

In this appraisal I do not wish to cover the material already carefully done in the West Virginia Commission report or in my testimony at the Church hearings. I will merely note a few imperative points:

1. The Monongahela National Forest has a very great diversity of soils, sites, and forest cover types.

2. The ecological nature of the forest; based on the climate, soils, and sites; is a mixed forest of many species, tree ages, and forest conditions. This is the climax forest toward which natural forces tend to move it.

3. The requirements of regeneration of the mixed hardwoods do not require clearcutting the forest. Either single tree or group selection silviculture, depending on the species composition, is a viable alternative to clearcutting. (Small clearcuts of 5 acres or so is not group selection, it is clearcutting or patch clearcutting. Groups in group selection are about 1/2 to 1-acre in size, depending more on stand conditions than any arbitrary size.)

4. The forest values including recreation, wildlife, water, aesthetics, and environmental protection often far outweigh timber values. This alone often precludes clearcutting.

5. All values, including timber, can be obtained by intensive scientific silviculture for integrated values from almost every parcel of forest land.

The main body of this report will be concerned with timber aspects, with the waste of wood and tree growing stock, and with the quality of regeneration.

CHARACTER OF THE FOREST

During the two days spent on the forest, and from close acquaintance many years earlier, I have three distinct impressions:

1. The great diversity of the forest, as already mentioned. Areas as large as 25 acres homogeneous enough to allow one overall treatment such as clearcutting were virtually non-existent.

2. The overwhelming immaturity of the forest. In some stands mature trees (from an economic standpoint) existed but they were greatly outnumbered by immature trees. I am told that there are only a few remnants of old-growth forest.

3. On the recently clearcut areas regeneration of hardwoods is abundant but runs heavily to stump sprouts. These sprouts characteristically make low quality trees (because of tendency to rot and sweep). Small stumps tend to sprout and clearcutting these immature stands always involves many small trees. The results of such past clearcutting (small trees) can be seen in the Catskill Mts. of New York. Killing the small stumps would avoid this but is costly.

THESE CLEARCUTS WASTE TIMBER VALUE

On the Gauley District the operators will cut and only trees 11 inches in diameter and larger. All smaller trees are felled and left or they are killed by Forest Service crews. The small stumps have not been killed so stump sprouting is abundant.

It was not possible, or practical, to count and measure stumps on the clearcuts without a great deal of help and time. However, adjacent forests at the edge of the clearcuts gave a good idea of the forest before cutting. All these cut areas had large numbers of immature trees. We did examine one area designated for clearcutting. This was the Music Run sale on the road to Cranberry Station. This had previously been shown to Howard Deitz by the timber management assistant on the Ranger District. I tallied a random transect through this sale area of 51 trees 5 inches in diameter and larger. There were 19 trees of yellow-poplar, 13 of sugar maple, and 14 of miscellaneous hardwoods. In addition, there were 5 large cull trees of beech. The sizes of the sound, well-formed trees (excluding the culls) was as follows:

Diameter Class	Number of Sound Trees
5-7 inches	4
8-10 inches	11
11-13 inches	9
14-16 inches	11
17-19 inches	6
20-22 inches	2
23-25 inches	3

On this excellent site these high quality trees are not economically mature until at least 20 inches in diameter. They are considered merchantable at 11 inches. This means that in this case (designated to clearcut) only 11 percent of the trees over 5 inches are mature, and only 16 percent of the merchantable trees are mature. Also, one-third of all sound trees 5 inches and larger would be felled and left or killed. Hopefully, the large cull trees would be killed (with timber the dominant use). This was only a rough sampling but it was unbiased and I believe a complete inventory would show similar results. Actually, any experienced forester could merely visually inspect the forest and note its immature nature.

It would be valuable to give some idea of how trees increase in volume over time. The following tabulation shows this for one tree on this good site. Such trees would grow about 3 inches per decade if properly thinned. Volumes are International scale, form class 78.

Diameter and number of 16-ft logs	Volume board feet	Time, assumed year, date	Growth board feet per decade
11-1 1/2	61	1973	
14-2 1/2	153	1983	92
17-3	278	1993	125
20-3 1/2	440	2003	162
23-3 3/4	608	2013	168

This shows that an 11-inch tree will increase in volume 4.5 times in 20 years; a 14-inch tree 2.9 times and a 17-inch tree 2.2 times in the same period. This is just volume increase. The value increase will be even more as shown by the grade 1 logs present. Up to about 15 to 16 inches diameter breast height hardwood trees do not have grade 1 logs. They are too small. A 17 or 18-inch tree might have up to 40 percent of grade 1 material but a 20 to 24-inch tree can have up to 60 percent of grade 1. This pays off in better lumber grades.

Now any forester knows that all of the smaller trees cannot grow to 20 inches over the same period because there is not room for them. Some will die unless they are taken out in thinnings (as in intensive forestry). Yet even without thinnings a stand such as shown on that site will easily grow 3000 bd. ft. per acre per decade, and the unit value will increase because the trees will average much larger.

A similar case of actual clearcutting of hardwoods on the Jefferson National Forest has been documented and described (see the enclosed report of March 6, 1970). This was sent to the Regional Forester who, in effect, promised to do better in the future. But the Monongahela clearcuts are little different except they are smaller in area. They harvest and/or destroy large amounts of immature timber because the forests are immature and often uneven-aged.

WHY DO THEY CLEARCUT?

Why does the Forest Service clearcut in mixed hardwood forest types that are ecologically suited for some form of selection forestry, even at the expense of timber values in both the near and more distant future? I think these are the reasons:

1. To place the National Forest on a basis of area regulation. For example, if trees are to be grown to 100 years of age clearcut one percent of the commercial forest area each year. Map these areas and perhaps put data in computers.

2. Clearcutting results in ease of forest administration. It minimizes field work because there is very little actual silviculture practiced on the ground.

4. Clearcutting is better adapted to the use of heavy machinery. (But there is no proof that logging cost per thousand board feet is less than selection cutting when clearcutting takes so many small trees, quite the contrary.)

5. Pressure on the Forest Service for immediate high timber harvests at a low present cost.

DISADVANTAGES OF CLEARCUTTING IN MOST
EASTERN HARDWOODS

Because of stand and site diversity and the general prevalence of second growth and immature forests, clearcutting usually wastes both present and future timber resources. This is because pole-size trees are entirely wasted or sold for low-value pulpwood and the small sawlog-size trees are harvested at a time of high value increment. The Forest Service needs but apparently does not have good data on these timber sales, but based on the data I took on the Music Run sale and my experience elsewhere an alternative to clearcutting would about be as follows:

1. Harvest all trees 20-22 inches in diameter and larger.

2. Harvest about one-third of the trees in the 14 to 19-inch diameter class as a thinning and improvement cutting.

3. Leave all trees (except culls) in the tree sizes less than 14 inches.

4. Fell or kill the large cull trees.

This would remove about 55 percent of the volume (about 3500-4000 bd. ft. at Music Run) but would remove only one-fourth of the trees 5 inches in diameter and larger. Three-fourths of the trees would be left for future growth, and at Music Run this would be at least 300 bd. ft. per acre annually.

This resulting stand could finally (when mature) be clearcut if at that time even-aged management was the most feasible method for timber objectives. Or the current cutting could be marked and treated for group selection. In that case the Music Run forest would be expected to yield a cut of about 3000 bd. ft. per acre every 10 years.

Given the preponderance of immature forests as on the Monongahela and elsewhere, present policies of clearcutting will continue to result in waste for many years, or until the stands become mature. But then toward the last half of the 80 to 100-year rotation stands will be overmature. That is, in order to place the Forest on an area regulated basis many stands will have to be held for 50 to 100 years before clearcutting and this will result in more waste.

Another disadvantage is the irrevocable nature of clearcutting for future generations. I think we should be pretty sure of our grounds before committing future generations to even-aged forests which are not in harmony with the ecological nature of eastern hardwoods.

Clearcutting as presently practiced in immature hardwood stands sacrifices long term timber yields and quality for short term financial gains. If public forests can't afford to grow high quality larger timber for the future, then who can?

Overshadowing everything else, but not detailed here, are the environmental and social values lost when clearcutting rather than intensive ecological silviculture is practiced on our eastern forests.

CONCLUSIONS

Present clearcutting of immature hardwood stands results in present and future waste of wood products and greatly diminishes the environmental and social values from the forest. Clearcutting in any event is not ecologically appropriate for the great diversity of sites and conditions found in West Virginia and elsewhere in the East. Clearcutting is based more on convenience and administrative considerations than on silvicultural imperatives and the needs of the people. The only way, in most cases, to handle the mixed hardwood forests for present maximum wood yields (not present profit or convenience) and future timber, environmental, and social values is to make heavy improvement (conditioning) cuts often combined with conscious group selection silviculture for regeneration in openings of adequate size. The whole forest should be covered on an orderly basis but as quickly as feasible. The whole forest would thus be built up to manage by ecologically sound group selection silviculture, perhaps combined with some patch clearcutting of mature or decadent stands usually not over 5-acres in size.

But this will take a great deal more professional skill than now used and a better deployment of forestry man-power available. At least for a time it will also require more money and man-power. Most of all it will require a complete change in the attitude and philosophy of the Forest Service and support by the National Administration. I can see no hope for reform as long as pressure for higher and higher immediate timber harvests is exerted on the Forest Service.

The objective of forest management on the National Forests should be the maximum long term use and value to people, not bureaucratic convenience or short term dollar returns. Clearcutting as presently practiced in the Appalachian area does not fulfill this objective and it preempts alternative forest management policies for 100 years or more in the future.

A TIMBER SALE ON THE JEFFERSON NATIONAL FOREST

The information in this report was obtained in connection with field laboratory

exercises for my class in silviculture. Information and ideas were obtained from four main sources: (1) professional employees of the U.S. Forest Service, (2) the timber operator (buyer of the stumpage), (3) an examination of the cutover area by students, and (4) personal inspection of part of the area before cutting.

The sale in 1969 was 186 acres in one irregular shaped area. It was a well-stocked pole-sized mixed hardwood forest with a generous admixture of sawtimber-sized trees from 11 to nearly 30 inches d.b.h. The minimum bid asked by the Government was \$1100 and the bid price by the buyer was \$3333 for all the pulpwood and sawlogs on the tract. This is about \$18 per acre for all the timber.

The Forest Service estimated there was around 2,000 cords of pulpwood on the area but apparently did not estimate or consider the sawlogs. The operator said pulpwood volume was at least 2,000 cords and, in addition, he cut about 500 M bd. ft. of sawlogs. The pulpwood was hauled to Covington, Virginia and the logs to a sawmill near Roanoke. He received \$60 per M for the delivered logs. For both pulpwood and logs he received about \$60,000 at the mills. There was no actual tally or measure of the cut forest products. The operator knew the number of loads he hauled and the average volume per load.

Some narrow strips of uncut forest was left along draws and intermittent streams, water bars were constructed along skid roads, and grass was sown on bare logging yards. There were no special provisions for regeneration and the cut stumps were not killed. The standing live culls are still present but it is planned to push these over with a bulldozer (but not kill the stumps) at an estimated cost of \$12 per acre. Considerable regeneration was present in the form of oak seedling sprouts, stump sprouts, and some seedlings of yellow-poplar on good sites.

The site quality of this 186-acre tract varied greatly. Topography ranged from coves to dry upper slopes. One standing 19-inch yellow-poplar was 96 ft. tall and 50-60 years old. A 26-inch black oak stump was 120-130 years old. A standing 12-inch hickory was 80 feet tall, another was 67 ft. in height. The students bored 16 black and red oak trees and 9 yellow-poplar trees on the perimeter of the cut areas. Oak site index ranged from 45 to 85 and yellow-poplar site index from 82 to 102. There is no question that sites on the area are very variable.

The justification for clearcutting this area was that it was classed as "low quality pole timber." This classification assumes that there was less than 30 sq. ft. per acre basal area of trees that would eventually produce grade 2 or better sawlogs.

The silviculture class made a stump cruise based in 5,000 linear feet of 12-foot wide strips across topography and on upper, middle, and lower slopes. Stumps were measured, one inch subtracted for d.b.h., species groups determined, and stumps classified as sound, fire scarred or hollow. The species were mixed white, black, and red oaks with a few yellow poplar on the better sites and a number of miscellaneous species such as hickory, black gum, ash, maple, and pine. On the whole area there were numerous patches of pure pole-sized white and Virginia pines.

The original forest was obviously well-stocked (Table 1).¹ Even after generous allowances for unsound and low-quality trees there were 46 pole-sized and 57 sawtimber-

sized trees per acre. The total live basal area was about 130 sq. ft. per acre. At least half of this could have been removed and still left an adequate number of growing stock trees. I saw part of this forest before it was cut and the data confirm my impressions at that time.

DISCUSSION

The first thing that hits an observer is the ridiculous price of stumpage. The public could certainly question whether his interest was being guarded. Related to this was the liquidation of an immature stand for low value products (stumpage) rather than the conserving of young growing stock for future high values. There is no doubt that the timber producing value of the area has been greatly reduced by this premature cutting; even to cutting pure stands of white pine poles.

The trouble lies in the classification of the stand.² This should have been classed as "immature poletimber" not "low quality pole timber." For timber production the best to poorest silviculture for this forest would have been as follows:

1. Heavy improvement cutting leaving the residual stand to grow to mostly sawtimber size. If no operator would bid on about 8 cords of pulpwood plus 2,000 bd. ft. of sawlogs per acre then:
2. Use public funds and kill the worst of the cull and low quality trees with herbicides. Let the residual stand grow to increase tree sizes. If no funds were available then:
3. Do nothing. Let the trees in the forest grow to larger sizes before harvesting, or at least until markets for forest products are better.
4. The poorest practice was to clearcut the immature stand. This was a sort of non-silviculture.

Regeneration will occur, mainly because all the cover was removed and something will take its place. However, a significant part of the reproduction will be sprouts from the many stumps below about 12 inches in diameter. These trees will tend to be of low quality. If the standing culls are bulldozed their stumps too will sprout. If not bulldozed some will die and some will form wolf trees. A kill of individual trees with herbicides would be more effective. The costs of bulldozing, to say nothing of administrative costs and the on-site treatments, will eat up the \$18 per acre stumpage and more besides.

The large clearcuts will increase short-term browse for deer but will not be as favorable for other kinds of wildlife as some alternative methods. Runoff will be greater but water volume is not needed in this case. Nutrients and silt in the streams will increase. Aesthetically the area is a disaster and the value for public relations is highly negative.

The goal of high sustained timber yield, the only possible justification for clearcutting mixed hardwoods, has backfired. The Forest Service has traded a well-stocked stand of poles and small sawtimber for zero stocking, an ugly vista, and a net expenditure of public funds. The public was a loser. The only one who gained was the operator. Industry does not yet depend on clearcutting immature mountain hardwoods.

This was a diversified forest of variable site; with many species, ages, and tree sizes. The trees were mostly immature, they had a low present value for timber. They had a high present value for non-timber uses and a high potential value for timber plus multiple use. Clearcutting was bad silviculture, bad economics, bad land use, and bad public relations. It may have been good for book-keeping and may have avoided the necessity for intensive silviculture.

² It was not really a stand but rather a series of stands.

¹ The forest was well-stocked and even over-stocked in places (figures 1 and 2) and I believe there was an upward bias in the 12-foot strips of perhaps 20 percent. I think the students tended to count too many edge stumps or stumps just outside the strip margins.

TABLE 1.—NUMBER OF STUMPS PER ACRE ON CLEARCUT SALE AREA

DBH class; inches	Total trees cut	Sound stumps ¹	Assumed number low quality trees ²	Growing stock or mature
5 to 7.....	41	37	15	22
8 to 10.....	43	35	11	24
11 to 13.....	33	30	6	24
14 to 16.....	26	18	4	14
17 to 19.....	21	16	4	12
20 plus.....	10	7	0	7

¹ Minus stumps with fire scars or butt rot.² Not suitable for acceptable growing stock; based on 40 percent, 30 percent and 20 percent, respectively of sound poles, large poles, and sawtimber. Sound trees 20 inches and larger are considered mature.

COMMUNITY TEAMWORK, INC.,
HONORS RAYTHEON

HON. PAUL W. CRONIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. CRONIN. Mr. Speaker, the problem of unemployment concerns all of us, and is particularly acute in Massachusetts. The Raytheon Corp. of Lowell, in conjunction with the officials of Lowell, Mass., has made great progress in helping to alleviate the unemployment situation through the concentrated employment program. The program is designed to specifically train workers for jobs in industry and then place them in companies such as Raytheon, which has hired 44 CEP employees in the past year. For this substantial contribution to the CEP, Raytheon was honored recently by Community Teamwork, Inc., at special ceremonies. Raytheon and Lowell have shown that industry and community can work together to help solve the unemployment situation. For this reason I recommend to you the following article excerpted from the Lowell Sun:

RAYTHEON HONORED FOR HIRING CEP WORKERS

LOWELL.—"We are fortunate to have a good citizen like Raytheon involved in such a multiplicity of phases" of the community, said Mary Newman, State Secretary of Manpower Affairs, addressing an award presentation at that firm's South Lowell plant Friday.

Raytheon, honored by Community Teamwork Incorporated for its participation in the Concentrated Employment Program (CEP), has hired 44 CEP employees in the past year.

Leo Desjarlais, executive director of Community Teamwork, presented the firm with a plaque for Raytheon's "willingness to be flexible and make a commitment to unemployment problems and for meeting us halfway."

Secretary Newman, representing Governor Sargent said that "far too frequently we are training people for jobs that are not there. Only through joint endeavors and communication can we reach a truly desirable goal." "CTI," she said, "has brought great credit to Lowell. We are most proud to have participated and to have been able to facilitate the efforts of individuals and those in the private sector."

Accepting the plaque, Robert Hennemuth, chief of industrial relations at the Raytheon plant, said he was "pleased with the award but not satisfied with the record," and hopes to hire more CEP employees in the future.

Another Raytheon spokesman said that 80-85 per cent of its employees have stayed on the jobs since they were hired and is "very pleased" with the results of the CEP venture.

Raytheon is the third company honored by CTI for CEP involvement. Previously similar awards were made to Baird Atomic in Bedford and Altotronics in Burlington.

The Raytheon jobs filled included clerical, assembly, wiring, soldering and production control positions, with wages starting at \$2.80 per hour and up.

Employees are given basic skills for the jobs at Lowell's CEP skill Center on Perry Street, hired, and provided transportation to work for the first two weeks.

The skill center, in operation since December of 1968, has placed 4195 persons in jobs since February of 1969. Desjarlais estimates that the retention rate of employees by the firms is "better than 80 per cent."

City Councillor Robert Kennedy, representing the mayor at the luncheon presentation, complimented both Raytheon and CTI for their efforts to solve the city's unemployment problem. "CEP has been a great success," he said, "due to the cooperation of companies like Raytheon."

Cong. Paul Cronin also attended the ceremonies.

A CONCURRENT RESOLUTION BY
THE SOUTH CAROLINA GENERAL
ASSEMBLY MEMORIALIZING CON-
GRESS TO ENACT SUCH LEGISLA-
TION AS WILL ELIMINATE IN-
EQUITIES AND DISCRIMINATION
IN THE SOCIAL SECURITY ACT

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, June 8, 1973

Mr. THURMOND. Mr. President, on May 30, 1973, the South Carolina General Assembly passed a concurrent resolution memorializing the Congress to enact such legislation as will eliminate inequities and discrimination in the Social Security Act.

Mr. President, on behalf of the junior Senator from South Carolina, Mr. HOLINGS, and myself, I ask unanimous consent that this concurrent resolution be printed in the Extensions of Remarks.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

A concurrent resolution memorializing Congress to enact such legislation as will eliminate inequities and discrimination in the Social Security Act

Whereas, the Social Security Act incorporates inequities that have translated the application of the provisions of the act into such discrimination that it has created unnecessary hardship and apathy; and

Whereas, the disparity in treatment of and the quaint computation for determining disposition of benefits to husband and wife, widow and widower and the children of beneficiaries lessens the altruistic and salubrious purposes of the original concept of the act; and

Whereas, there is grave concern that should the inequities remain uncorrected benefits will be misdirected leaving those most in need unaided; certainly our citizens deserve better. Now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That the Congress be memorialized to enact such legislation as will eliminate in-

equities and discrimination in the Social Security Act. Be it further

Resolved, That copies of this resolution be forwarded to the President of the United States, to the two members of the United States Senate of this State, to each member of the House of Representatives of this State, to the Speaker of the House of Representatives and the President of the Senate of Congress.

REMARKS BY WILLIAM S. LOWE

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DORN. Mr. Speaker, Hon. William S. Lowe, president of the U.S. Chamber of Commerce, delivered a splendid and timely message to the recent U.S. Chamber of Commerce Prayer Breakfast, held in Washington in connection with the chamber's 61st annual meeting. I commend to the Congress Mr. Lowe's splendid message.

REMARKS BY WILLIAM S. LOWE

Several years ago I was in India. There are two places in this world which I wish every American could visit. One is East Berlin and the other is Calcutta, India. It is quite an education. You would come back a little more humble, a little more grateful, for the things we enjoy and the conditions under which we are permitted to live.

A business associate in India said to me, "You Americans don't really understand what makes your free enterprise system work. It's not your technological capabilities, your schools, your organizational abilities, your laws, or your free enterprise system. Rather you have a moral consensus based on the Judeo-Christian philosophy. I think I can prove it."

"You don't see many supermarkets in India. You do in the States. You invented the supermarket. Why? Because you found that the cost of distribution was a major part of the cost of goods delivered to the market place. It cost too much to get the milk from the cow to the baby. So, you invented the supermarket. You display all the merchandise on great acres of floor space and on many counters. You shop in the supermarket using a cart, selecting what you want, taking it to the check-out counter to pay or charge it, and go on your way."

My friend in India went on to say, "The only reason a supermarket can prosper is due to the basic fact that a vast majority of the customers in that supermarket believe in the moral concept that 'thou shalt not steal.' If you employed enough policemen or clerks to stand in the aisles of that supermarket to keep people from stealing things, you couldn't afford a supermarket. It is only because of the Judeo-Christian philosophy 'thou shalt not steal' and because most of your people fundamentally believe it that the system can successfully work. If it were only a fear of going to jail, people would steal. Fear of punishment has never kept people morally upright in this world and probably never will."

Continuing, he said, "I will prove my point to you in another way. Your economy is based on credit—credit risks between institutions. Men start businesses and have to borrow money to continue the businesses. Or, persons need funds and borrow. Borrowing is essential to the operation of all business in your great nation. The reason—and the only reason—that your banks stay in business is because when a person goes in to

borrow money he agrees to a moral obligation that he will repay that loan. If the bank had to turn to due process of law to collect a major portion of these loans, your bank wouldn't stay in business 48 hours. It's only because of a basic Judeo-Christian philosophy that: 'Yes, I accept, the responsibility for repaying this money'... and only because he believes in that Judeo-Christian concept... does your system work in your great nation."

COURAGEOUS MINNESOTA PIONEERS

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Friday, June 8, 1973

Mr. HUMPHREY. Mr. President, I would like to share with Members of Congress and other readers of the RECORD a letter made available to me by Mrs. Gladys Sharon of Veneta, Oreg.

The letter, dated April 7, 1881, was written by Mrs. Sharon's grandfather, Mr. R. Price, who emigrated from Wales to the town of Tracy in my own State of Minnesota in search of the individual freedom offered by our great land. Mr. Price's daughter—Mrs. Sharon's mother—is Mrs. L. W. Potter of Fresno, Calif.

Mr. Price addressed himself to his mother and sister, still in Wales, in order to share with them the hardships that our young, still untamed land presented. This was illustrated by Mr. Price's vivid description of a most severe Minnesota winter. Despite the hardships it describes, nowhere in the letter does the author complain or express regret or sorrow about having come to the United States.

Men and women like Mr. and Mrs. Price, and their families, typify the strength, energy, endurance and ceaseless courage which constructed not only such great states as Minnesota, of which I am especially proud, but, more importantly, contributed to the Nation as a whole, making our country foremost in the fight for personal freedom.

Mr. President, I ask unanimous consent to have Mr. Price's letter of 1881 printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TRACY, MINN.,
April 7, 1881.

DEAR MOTHER & SISTER: I received your welcome letter some time ago and I now take the opportunity of answering. Well I suppose you first want to hear how we got along this hard winter it has been the severest winter on record I think. I never seen it but a man could go out after a storm until this winter it was impossible finally we did get tracks broke to Tracy and the timber. I think snow would average 4 feet on the level and 20 in some places. I was lucky in having enough of wood home to do me about two months but it was a job to get to it after all it kept one busy in shoveling wood out and hay. I had the same thing to go through everyday it drifts so fearful here I lost one cow. She was not doing well since last fall. One of my hay stacks I did not see since the 12th of Feb. I dug it out last week and had the misfortune of finding all spoiled it was hot I did not

have any use of the cattle yard as it was out of sight. Therefore the cattle were allowed to run all over and I lay it to the cattle tramping the stack that spoiled the hay.

There were lots here that did not have any track at all from their houses and were compelled to carry their fuel wood on their backs and hand sleds not for once or twice but I have known them to do it for near two months. I could not go to mill so I had to take wheat to a feed mill and have it ground into graham. There was no flour in Tracy only as they hauled it from Sleepy Eye and the mill came by teams from Sleepy Eye in sacks it looked like loads of grain wood sold in Tracy at the site of sixteen dollars per cord and hay ten dollars per ton it was bad here but I don't think we have suffered half what they did in Dakotah. I don't know what is true but this I know Dakotah settlers depend on the Railroad for fuel for there is no wood hardly in Dakotah and there has not been any train through yet from Sleepy Eye since 12th Feb. so you see they must have suffered for wood and provisions and I heard the way they were doing was two or three families would move into one house and burn their houses in turn. There has been suffering that no one will ever know on the frontiers for the newspapers will take good care never to mention for it would stop immigration. There is lots of stock died here, cows in general.

I had 10 Ewes come in in February. I had them in a warm place and some of the lambs were from a month to six weeks old doing fine when one stormy day I had an old sow loose and she broke into the sheep pen and killed 5 or six. Then she grabbed one of them out doors so I had good luck and had luck with my sheep we have a pair of mare Colts one 2 weeks old one 2 days. They are just normal. I expect another mare in soon. You wanted to know if I have ever seen the name of Granahan I have seen many tunes of his composition. One in Gospel Hymns No. 1 I know not the hour that my (Lord) will come which is a good one. No. 3 Gospel Hymns is chiefly all his own composition he is a great singer I have quite a little choir here myself. Mary sings soprano and Neil has a natural ear and voice for alto. Well I must close hoping you have survived the hard winter all right. One thing we have had good health all through and that is half the battle hope you are all in good health and hoping to hear from you soon again the children are pleased with the cards they will send some of theirs. Our love to all we remain.

Your brother & Sister, R. & R. PRICE.

P.S. you wanted to know how many children we had—we have 5 W. D. is the youngest he outweighs Mabel who is 4 years old and he is 2 years old, 2 pounds and half heavier.

CONGRESSMAN LEHMAN TELLS WHY HE VOTED AGAINST REORGANIZATION PLAN NO. 2

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. LEHMAN. Mr. Speaker, yesterday I voted against Reorganization Plan No. 2, not because I believe the drug abuse problem has become less serious. Indeed, I am only too aware that the use of illegal hard drugs has spread from our adult population, to our high schools, and even more sadly, to our grammar schools.

Drug enforcement must certainly be

made stronger. But this was not the question on the floor yesterday. Rather, the question was one of the Executive vis-a-vis the Congress.

I voted against the reorganization plan because I believe that any plan of this magnitude and importance should be subject to congressional scrutiny and evaluation. If the Congress is to regain its position of equality with the other two branches of our Federal Government, it cannot continue to acquiesce to the executive branch and its arm in the Office of Management and Budget.

Reorganization plans are not subject to amendment. They are either accepted or rejected, and the House is unable to modify them at that time. The Government Operations Committee already had before it legislation to condense and concentrate the thrust of our drug enforcement efforts, and I would have rather seen this effort carried out in a legislative manner to enable all the Members of the House to have input into it.

YOUTH, 19, CREATED EXPERIMENT SKYLAB WILL TEST

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. TEAGUE of Texas. Mr. Speaker, I think it is important to note that as the plans to recover the full usefulness of Skylab progress that a number of experiments onboard the Skylab mission have been contributed by young students all over the United States. One of these students is Roger Johnston of the Carleton College, Northfield, Minn.

I think it is significant and important that America's young people have the opportunity to participate directly in our national space program through Skylab and I commend Mr. Cope's article to my colleagues and the general public:

YOUTH, 19, CREATED EXPERIMENT SKYLAB
WILL TEST

(By Lewis Cope)

Roger Johnston of Carleton College will have an ingenious experiment—to study how liquids behave in the weightlessness of space—aboard the manned Skylab space station scheduled to be launched next week.

"It really should be something!" said Johnston, speaking with boyish enthusiasm rather than the usual reserved tones of a graying space scientist. And no wonder.

Johnston is 19 years old.

He's a freshman physics major at the Northfield, Minn., college. And his experiment, which cost the space agency only \$800 to build, was accepted for the \$2.5-billion Skylab space mission while he still was a high-school student in Roseville.

The 118-foot-long Skylab, the size of a small house, will be rocketed into earth orbit May 14. The next day its first 3-man crew will go up in another rocket to start a 4-week visit.

A second group of three astronauts will make an 8-week visit starting in August, and the third 3-man crew will start another 8-week visit in November.

"My experiment is to be done by the third

crew," explained Johnston, son of Mr. and Mrs. Glenn H. Johnston, 1833 Draper Dr., Roseville. "It'll only take them about 10 minutes to do it—but it will take them another 30 minutes to set things up before they start."

Johnston's experiment is to study how capillary action—a common phenomenon on earth—works in the weightlessness of space where there's no pull of gravity.

Capillary action makes liquids rise in small tubes and into the tiny openings of porous material. It makes a blotter absorb ink, allows water that enters a plant's roots to climb to the leaves, and helps human blood travel through the tiny blood vessels in the body.

The Skylab astronauts will open three boxes, each about the size of a loaf of bread, to set up his experiment. Then they will photograph how blue-dyed water and red-dyed oil climb up tubes and stainless-steel screen.

"The fluids should shoot up pretty fast—since there will be no gravity holding them down—so high-speed movie photography will be used," Johnston said. He estimated the water would reach the top of the 10-inch-high tube in two seconds, but the oil would rise somewhat slower.

Dr. Raymond Gause, a National Aeronautics and Space Administration (NASA) scientist at the Marshall Space Flight Center in Huntsville, Ala., said in a phone interview:

"There has never been any studies in space on this before. We don't know just what will happen.

"For example, what will happen when the liquid reaches the top of the tube? Will it bulge out into a round ball? Or will it break up and form a lot of droplets? And just how fast will it rise?

"This knowledge about how fluids behave in space could help us design more efficient fuel systems for future space vehicles."

Could it help better understand how blood and other fluids behave in an astronaut's body while he's in space?

"It possibly could," Dr. Gause answered. "It's like a lot of experiments. You never know what you may find, or how it may be used later. That's what makes things so interesting."

In all, the Skylab crew will perform more than 270 scientific studies.

Most have been developed by veteran space scientists. But Johnston's and 10 others were designed by high school students and selected in a nationwide competition sponsored by NASA and the National Science Teachers Association.

"These are not just fill-in experiments, but ones we really expect to learn a lot from," Dr. Gause said. "In fact, the program has been such an interesting one that the astronauts are extremely excited by these student experiments."

Johnston has made two trips to the Marshall Space Flight Center to work in the final design. He will be NASA's guest at Cape Kennedy in May 14 and 15 when the space station and the first crew are launched.

COST OVERRUNS: A \$31 BILLION LUXURY

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. EVINS of Tennessee. Mr. Speaker, certainly we are all concerned with and

desirous of securing the maximum value for every taxpayer's dollar expended—and in this connection I want to commend our esteemed colleague, the gentleman from Wisconsin (Mr. ASPIN) for his outstanding work in pinpointing the details of a massive pattern of cost overruns by the Department of Defense.

The gentleman from Wisconsin (Mr. ASPIN) was formerly employed by the Department of Defense and is a member of the Committee on Armed Services, and his latest report—as published in *Progressive* magazine—shows that on 45 major weapons systems cost overruns have amounted to \$31.3 billion—not million—but billions.

His conclusion in the article is:

Not only is every major weapons system a flaming cost overrun, but there is no relief in sight—and there will not be as long as the Pentagon maintains its taste for needlessly fancy and sophisticated new weapons.

My own view is that the Office of Management and Budget should direct all weapons systems to the same searching and critical scrutiny that it applies to programs for our public works developments, our elderly, schoolchildren, small towns and rural areas, and health and medical research, among others.

Because of the interest of my colleagues and the American people, I place the article from the *Progressive* in the *RECORD* herewith.

The article follows:

COST OVERRUNS: A \$31 BILLION LUXURY

(By Les Aspin)

It is becoming increasingly clear that people are surfeited with weapons cost overrun. Not so long ago, in an open hearing of the House Appropriations Committee, a Navy official admitted that the cost of the Patrol Frigate program had risen \$513 million since budget time last year. Not only did this news not make the headlines, it took a month before any newspapers even mentioned the fact. This is not the only example. In recent months costs in excess of amounts budgeted have been announced on the C-5A (another \$259 million), the Mark 48 torpedo (\$33.1 million), and the SRAM missile (\$300 million). Although these sums are hardly beneath notice—the total budget for OEO community action programs this year was no more than \$300 million—the press apparently was not interested.

A recent study by the General Accounting Office shows just what a here-we-go-again story about overruns have become. The study, entitled *COST GROWTH MAJOR WEAPONS SYSTEMS*, was presented to the House Armed Services Committee on March 26 of this year. It shows that on forty-five major weapons systems in the U.S. arsenal, cost overruns have amounted to \$31.3 billion. This, and the particulars on some of the more egregious overruns on the list, were duly if cursorily reported by the media. Perhaps because the accounts were so brief, however, they failed to mention what I think is an even more significant fact: of all forty-five weapons systems, every one was a cost overrun.

The best demonstration of this fact is a chart that was printed as an appendix to the GAO study:

COST OVERRUNS, JUNE 30, 1972

[In millions of dollars]

System	Planning estimate	Development estimate	Current estimate
Army:			
ATTAS.....	2,307.3	2,307.3	2,344.5
HLH.....	119.3	119.3	123.1
SAM-D.....	4,916.8	4,031.0	5,240.5
TACFIRE.....	123.6	160.5	218.2
Cheyenne.....	125.9	125.9	531.6
Improved HAWK.....	335.5	588.2	758.3
Lance.....	586.7	652.9	776.6
TOW.....	410.4	727.3	651.6
Dragon.....	382.2	404.2	484.7
M60A2.....	162.1	205.6	402.8
Safeguard.....	4,105.0	4,185.0	7,975.0
Air Force:			
F-15.....	6,039.1	7,355.2	7,802.0
B-1.....	8,954.5	11,218.8	11,112.6
AWACS.....	2,656.7	2,661.6	2,661.3
F-111.....	4,686.6	5,505.5	6,994.6
C-5A.....	3,423.0	3,413.2	4,526.4
F-5E.....	698.6	315.5	297.4
A-X.....	84.5	84.5	84.5
A-7D.....	1,379.1	1,379.1	1,324.8
SRAM.....	167.1	236.6	1,325.9
Maverick.....	257.9	383.4	385.3
MMII.....	3,014.1	4,254.9	4,906.4
MMIII.....	2,695.5	4,673.8	6,110.5
Navy:			
S-3A.....	1,763.8	2,891.1	3,151.8
F-14.....	6,166.0	6,166.0	5,271.6
F-2C.....	586.2	586.2	873.8
LACB.....	689.7	817.7	1,575.6
A-7E.....	1,465.6	1,465.6	2,776.0
Harrier.....	503.6	503.6	525.5
P-3C.....	1,294.2	1,294.2	2,487.0
Sparrow-E.....	687.2	740.7	339.5
Sparrow-F.....	151.5	707.7	1,276.9
Poseidon.....	4,568.7	4,568.7	4,751.0
Condor.....	356.3	441.0	524.8
Phoenix.....	370.8	536.4	1,113.7
SSN-688.....	1,658.0	5,747.5	8,096.1
DLGN-38.....	3,980.0	820.4	820.4
CVAN-68/69.....	946.5	1,063.2	1,316.2
LHA.....	1,380.3	1,380.3	970.0
DD-963.....	1,784.4	2,581.2	2,750.3
Mark 48.....	720.5	1,753.8	1,957.9
Aegis.....	388.0	427.6	484.1
VAST-247.....	241.1	312.0	435.4
DE-1052.....	1,285.1	1,259.7	1,430.5
SSN-637.....	2,515.8	2,515.8	2,929.1
Total.....	81,216.8	93,569.7	112,695.8

The author of the study on overruns, Hassell B. Bell, a deputy director of the GAO, outlined his method to me. All his figures, he said, came from Selected Acquisition Reports, or SARS, which are produced by the weapons program office in the Pentagon. To begin, he took the SARS for all major weapons programs. There were forty-eight, including three—the Trident submarine, the BBQ5 sonar system, and the Harpoon missile—for which costs were classified. That left him with a total of forty-five. The study is therefore based on a comprehensive, not a random, list.

The chart itself is self-explanatory. The planning estimate is the cost given when the Secretary of Defense first authorizes the program. As the report says, "It is characteristically low compared with the subsequent development estimates." That is because "there are powerful incentives—for example, to gain general approval for the new system—to keep the estimate low." The planning estimate is particularly significant because that is the price at which the weapons system is sold to Congress. The development estimate is the one that is made when the development contract is let. The "current estimate" is "the latest of acquisition cost," in this case as of June 30, 1972. This estimate, says the GAO report, "includes plus and minus adjustments for quantity changes, engineering changes, anticipated inflation or cost escalation from specific data, and estimating errors discovered after the development estimate." It does, indeed.

The only explanation that may be required for the table is for the few weapons systems

(indicated by asterisks on the chart) that appear not to be cost overruns. Under careful examination all of them turn out to be overruns.

The F-5E, the fighter plane we are supplying the Vietnamese Air Force, shows a drop of about \$400 million from planning to current estimate. However, this is only a matter of selective bookkeeping. It does not include the cost of 242 aircraft bought for South Vietnam's President Nguyen Van Thieu. Under a Department of Defense directive, these foreign sales are not considered program acquisition costs in the SAR. The actual cost of the F-5E program is \$705.6 million—a modest overrun, but an overrun, nevertheless, of \$7 million.

The A-X, an experimental tactical support aircraft under development by the Air Force, appears to be holding steady at \$84.5 million—planning, development, and current estimate. This would be cause for rejoicing, except that, unfortunately, these figures are meaningless. They represent only the cost of developing two A-X prototypes. They do not include additional developmental costs (estimated currently at \$204 million) or procurement costs (about \$1.3 billion). That's for starters. The *raison d'être* of the A-X, we are told, was to destroy tanks. For this reason it was to be fitted with a 30mm cannon. Not only has the 30mm cannon not yet been developed (much less tested to see whether its recoil will shake the A-X apart), but costs for developing such a weapon are somehow missing from A-X estimates.

The A-7D, an Air Force fighter plane, actually appears to have decreased about \$50 million from the first cost estimate. This is misleading, because over the same period the program dropped from 517 aircraft to 411, raising the price more than half a million dollars per plane.

The strange tale of the F-14, the Navy's supersonic, swing-wing, super-duper flying machine, should by now be known to all. The planning estimate of \$6.1 billion was for 469 of these wondrous Grumman aircraft. The current estimate shown on the chart, \$5.3 billion, is for 313. According to these figures, the cost per airplane has jumped from \$13.1 million to \$16.8 million. But we must remember that the latest estimate on the chart is for June 30, 1972. The per unit cost of the F-14 is now somewhere around \$25 million. It is only necessary to add that when Admiral Elmo Zumwalt, Chief of Naval Operations, testified before the Senate Armed Services Committee this spring, he suggested that the best way to lower the unit cost would be to buy still more F-14s. Not too surprisingly, the president of Grumman Aerospace Corporation, who was on hand for the same hearing, agreed enthusiastically.

The Sparrow-E is an air-to-air missile, an interim stage along the way to the Sparrow-F missile. Precise data on the Sparrow missiles, as on all missiles still in development or production, are classified. However, one can safely say that the reason for the difference between the planning estimate and the current estimate on the Sparrow-E is that the Air Force and Navy stopped buying it and started buying the Sparrow-F—which more than makes up for the difference.

The DLGN-38 is the Navy's "nuclear guided missile frigate of the future." It is being built to escort the Navy's nuclear carriers of the future, four to a carrier. The planning estimate of \$3.98 billion was for twenty-three ships. The current estimate of \$820 million is for five. In the process the cost per unit has more than doubled. Furthermore, if the Navy still believes it needs four guided missile frigates to keep each nuclear carrier from getting lonely, it has not asked for a full complement of DLGN-38s. A fourth nuclear carrier has already been budg-

eted by Congress. So, besides everything else, the current estimate is erroneous and misleading.

The LHA, Litton Industries' contribution to civilization, is the Amphibious Assault Ship. Here again, as wishful thinking and inefficient management have driven up the program cost, the quantity has been cut back. The original estimate of \$1.38 billion was for nine LHAs. The current estimate of \$970 million is for five. Per unit cost has risen from \$153 to \$194 million, and all indications are that this is not the end for this misbegotten program.

This GAO report places the greatest blame for the military's abject record on the Pentagon itself. In a pie chart it identifies the causes of overruns as estimating errors (twenty-five per cent), inflation (thirty per cent), and changes by the military (forty-five per cent). "Much of this type of cost growth," says the report, referring to the biggest slice of the pie, "results from unrealistic performance targets at the outset. . . . Overly ambitious performance requirements, combined with low initial cost predictions and optimistic rush estimates, lead almost inevitably to engineering changes, schedule slippages, and cost increases." The worst overruns, for example, are always on the most exotic and ambitious programs, like the F-14, the C-5A, or the Cheyenne. The most modest overruns are on "simple" and generally effective weapons systems like the F-5E or the A-7D.

To quote again from the report: "Most resources are invested in systems to replace systems that perform the same types of missions. The successive generation of systems which follow this pattern push state-of-the-art frontiers and, of course, costs increase with each increment of improvement. This technological momentum can be expected to drive costs up no matter how well the programs are managed."

So, if it is any comfort to those who have become satiated with the whole subject, the situation is even worse than we thought. Not only is every major weapons system a flaming cost overrun, but there is no relief in sight—and there will not be as long as the Pentagon maintains its taste for needlessly fancy and sophisticated new weapons. Or, as long as Congress allows the Pentagon to indulge its appetites. Or—and this is the point I am trying to make—so long as the press allows them both to remain relatively untouched and untroubled in their obscurity. Being jaded is surely understandable, but in a country that urgently needs programs of housing, education, job training, and the social services, it is a \$31 billion luxury that none of us can afford.

CONGRESSMAN NORM LENT'S WASHINGTON REPORT—JUNE 1973

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. LENT. Mr. Speaker, I am in the process of sending a newsletter to all of the postal patrons in the Fourth Congressional District. Included in my report are the results of my third annual constituent questionnaire. I include the text of my newsletter in the RECORD at this point:

CONGRESSMAN NORMAN LENT REPORTS FROM WASHINGTON

WATERGATE REVELATIONS SHAKE ADMINISTRATION BUT PROVE SYSTEM'S STRONG

The ongoing revelations regarding the Watergate affair have left us all disillusioned and shaken that such a sordid chain of events could occur within the top reaches of our government.

These deplorable events, which have blown a dark cloud over the Nixon Administration, have unfortunately also given rise to feelings of mistrust for officeholders in general. Worse, Watergate comes at a time when the Congress and most levels of government have just begun to grapple with making their processes more directly responsive to citizen wishes through various reforms.

The Watergate episode, however, also points up the inherent strengths of our American system of checks and balances. An alert free press, a courageous judge, a troubled citizenry, and an outspoken Congress each played an important role in uncovering the wrongdoing.

As your Congressman, I will be keeping a watchful eye to see that those responsible for Watergate are brought to justice and that the public gets all the facts.

LONG ISLANDERS HAVE MUCH AT STAKE: LESS ENERGY OR OFFSHORE DRILLING?

There is much talk these days about an "energy crisis", the possibility of gasoline rationing this summer, and the prospect of another home heating oil shortage next winter.

But there are many signs that point to the fact that any "energy crisis" may be somewhat less than real. The Federal Trade Commission recently hinted that it may be the major oil companies who are helping to construct the so-called "energy crisis", for they stand to benefit the most from price hikes for fuels. On the other hand the oil firms claim that the present shortage is simply a result of backward government policies and misinformed opposition of environmentalists in blocking refinery construction and other projects which would permit increased production.

Don't let it happen

Nobody knows which version is true. Nevertheless, there is much we can all do to see that this predicted "energy crisis" does not happen. And we Long Islanders have a real stake in leading the effort to prove that we don't want, and don't need, more oil. For if we don't set an example by cutting back on our individual use of energy, the push will grow stronger for opening up the Atlantic Ocean for offshore oil drilling, a prospect that many of us would rather do without.

Sending booklet soon

I will soon be mailing all of you a small booklet with some excellent tips about how to cut down on energy use in our everyday lives. There are some excellent suggestions about conserving energy, and I hope we can join together in practicing some of them as the summer begins.

We stand to lose

We only stand to lose by continuing to stuff ourselves at the "energy plate." This is one way you can do something about government policy. Let's show them we don't need offshore oil drilling off our Long Island shores!

I hope you will look for the booklet on energy conservation tips in the next several weeks and then join me in cutting back!

Photo caption

Rep. Lent (r) joined Hempstead Presiding Supervisor Francis Purcell (L) on a tour of one of the Town's Environmental Education Centers in Oceanside. Lent is trying to garner

more Federal aid monies for Hempstead's fine program, one of the Nation's best.

I WILL VOTE AGAINST FURTHER FUNDS: U.S. BOMBING OF CAMBODIA MAY PRODUCE MORE P.O.W.'S

While most Americans, myself included, breathed a sigh of relief and thanksgiving when our last Prisoner of War returned from North Vietnam, that event has not yet succeeded in bringing down the curtain on our involvement in Indochina as a whole.

The Nixon Administration has continued to send U.S. B-52's over Cambodia because the North Vietnamese continue to send troops into that Nation contrary to the Paris Peace Agreement. On a purely military basis, the continued bombing is probably exacting a cost on the North Vietnamese. But we have never, in the long history of this conflict, been able to consider only military aspects.

While past actions of the Congress refusing efforts to cut off funding for the Vietnam war were politically painful, their wisdom seems to have been borne out by the Paris Peace accord which resulted in the successful return of our POW's and a total withdrawal of U.S. troops in Vietnam.

But I cannot personally justify the continued bombing of Cambodia and plan to vote to cut off any further funding for this purpose when the Congress soon considers an upcoming appropriations bill.

To continue the bombing will, in my opinion, inevitably produce more POW's, and rekindle the temptation to escalate our involvement in Cambodia into another Vietnam—something no American wants.

I would appreciate having your views, both pro and con, on this subject.

THE RESULTS ARE IN: THOUSANDS RETURN LENT QUESTIONNAIRE

Our third annual questionnaire was a huge success, as thousands of you took the time to fill out and return the poll on some of the major issues of the day. My thanks go out to all of you who responded—you have made an outstanding contribution to responsive government.

The results of the questionnaire, printed below, will serve as an invaluable aid to me in determining my vote in the House on these important issues.

I also appreciated the hundreds of individual letters and notes many of you sent me telling me your thoughts on these and other issues. I only wish I could have answered each of them personally, but the massive response prohibited that.

The questionnaire was just one of many ways I attempt to stay in touch with the District. I hope you will not hesitate to contact my District Office in Baldwin if you have any problems with the Federal Government or just want to express your views on the issues.

Again, thanks for your cooperation.

[In percent]

1. Do you support the provisions of the Paris Peace Agreement calling for U.S. aid to help rebuild North Vietnam?

Yes ----- 22
No ----- 78

2. Do you favor amending the Constitution of the United States to make abortion illegal in the U.S.?

Yes ----- 29
No ----- 71

3. Do you favor granting unconditional amnesty to those who evaded military service during our involvement in Vietnam?

Yes ----- 19
No ----- 81

4. Do you favor imposing tariffs and/or quotas on foreign imports to protect Ameri-

can workers, even though this may result in increased prices for the shopper?

Yes ----- 51
No ----- 49

5. Do you favor legislation to impose compulsory arbitration in emergencies caused by transportation strikes?

Yes ----- 93
No ----- 7

6. Do you favor full, U.S. diplomatic recognition of Red China?

Yes ----- 77
No ----- 23

7. Do you favor legislation to extend Daylight Savings Time throughout the entire year, thus giving us one more hour of daylight in the evenings?

Yes ----- 79
No ----- 21

8. Do you favor President Nixon's efforts to hold the line on spending and taxes by trimming existing Federal aid programs?

Yes ----- 65
No ----- 35

9. Do you favor reinstitution of mandatory wage/price controls?

Yes ----- 74
No ----- 26

10. Do you favor legislation which would make newsmen immune from testifying in civil or criminal court cases as to the source of their information?

Yes ----- 53
No ----- 47

DRUG PROBLEM

HON. JAMES G. MARTIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. MARTIN of North Carolina. Mr. Speaker, in support of the proposed Reorganization Plan No. 2, and in opposition to House Resolution 382, I should like to make the following observations:

When investigation and prosecution is done by the same agency, there exists the possibility that prosecutors will be overly zealous and subjective in their prosecution in an effort to protect their self-interest in the correctness of their investigation. However, in my opinion, the possibility of zealousness leading to abuse of process is less in the drug area than in other areas of criminal activity. The unification of prosecution and investigation in the same agency will enable the prosecutor to direct the investigation toward a known drug law violator. Many times an individual is known to be a dealer in narcotics, but the prosecutor does not have enough evidence to warrant an arrest. A unified command will allow the prosecutor to focus investigative resources. The prosecutor will be in a position to make the decision on whether to delay arrest in hopes of gaining more evidence to strengthen the prosecution's case and perhaps lead to the apprehension of other criminals in the distribution chain.

In contrast to most crimes which are committed by individuals acting alone, drug distribution is carried on for the

most part by criminal groups. To counteract such criminal conspiracies which overlap jurisdictional boundaries, a national effort is needed. The reorganization plan is a virtually unique effort in a well defined area and thus the danger of the reorganization being a step toward a national police force is small. The proposal is not likely to be viewed as precedent to be followed in other areas.

The issue of federalism is not as controlling in this area as it should be in other areas. Since the drug operation is national and international in its operation, an effective program in one city or State would probably only result in a shift of the organized operation to a different area, without eliminating the problem. Effective law enforcement by local authorities would only result in the imprisonment of the small man in the chain, for which there are many replacements. An effective program necessitates a national approach in which the information gained through the arrest of the street seller of drugs can be used to trace the chain back to the organized supplier and importer, who is usually beyond the reach of local law enforcement agencies.

Information as to who is doing the internal distribution is of vital importance in apprehending the smugglers. A flow of information concerning each part of the chain is important. Such flow of information would be more readily secured through a unified agency.

The reorganization plan will give us the unity of command that is necessary for a successful effort against the drug problem. It is timely, and must not be delayed.

GULF SUPERPORTS AWAIT THE GREEN LIGHT

HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. TREEN. Mr. Speaker, I am inserting a recent article from Business Week which discusses Gulf superports. This question is particularly timely at present since the House Committees on Public Works, Interior, and my own committee on Merchant Marine and Fisheries, will be holding hearings on this subject in the upcoming days:

GULF SUPERPORTS AWAIT THE GREEN LIGHT: LOUISIANA WILL BUILD AS SOON AS CONGRESS ACTS—HAVENS FOR SUPERTANKERS

Louisiana's Lafourche Parish is Cajun country: a marshy land rich in sugar cane and pirate lore. But by this time next year, Lafourche will probably be crawling with heavy equipment as construction crews move in to start building the first U.S. offshore superport—a \$500-million facility capable of handling tankers of up to 500,000 deadweight tons.

The U.S. will have to build a number of superports like the one at Lafourche if it is going to be able to import economically enough crude oil to meet soaring domestic demand for energy in the next decade, oil men say. At present, tankers bringing oil to

East and Gulf coast oil terminals average only about 47,000 tons, and it costs about \$13 a ton to transport oil from the Persian Gulf and unload it in the U.S. in such ships. By contrast, a 250,000-ton tanker could bring in and unload its crude oil at a Louisiana superport for about \$5.70 a ton. The cost drops to \$5.15 a ton in a giant 500,000-ton supertanker.

Building the superports should help spur U.S. oil companies to build more domestic refineries, which would also help meet energy demands. New refinery capacity has grown very little in the last few years, and the lack of terminals for supertankers along the East and Gulf coasts is one reason for this.

This is why the Nixon Administration, in one of its moves to ease the energy crisis, is seeking legislation to permit construction of superports beyond the three-mile limit. Several Congressional committees will consider legislation next month. And if a new law is passed, the State of Louisiana will be ready.

A year ago, its own legislature created a state agency, the Louisiana Superport Authority, to consider the plea of 13 companies to build a deep-water terminal in the Gulf, 21 miles south of Bayou Lafourche. The companies, formed into an organization called LOOP (for Louisiana Offshore Oil Port, Inc.), propose to build a superport consisting of huge floating buoys to receive oil from tankers too big to dock at U.S. ports, pump platforms to push oil through large-diameter pipelines to shore, and onshore oil storage tanks. At least part of the oil coming through the LOOP superport, its administrators promise, would be fed into the St. James (La.) terminal of Capline—a pipeline that can move oil at a rate of 1.2 million barrels a day from the Gulf Coast to the Midwest and as far north as Chicago.

MOVING AHEAD

Construction of the superport off Lafourche could start as early as mid-1974, according to LOOP President William B. Read. Limited operation would be possible by mid-1976. Initially, the superport could handle only 1.7 million barrels a day, but that could be raised to 4 million barrels as the number of buoys was increased from three to five and the number of pipelines doubled to four.

LOOP has an impressive list of member companies, among them Ashland Oil, Inc., Chevron Pipe Line Co., Exxon Pipeline Co., Marathon Oil Co., Shell Oil Co., Tenneco Oil Co., Texaco, Inc., Union Oil Co. of California, Standard Oil Co. (Ohio), and Texas Eastern Transmission Corp. They have raised the \$1 million needed to get their superport plans developed, and the State of Louisiana has been in there pitching, too.

For \$86,000, the state government persuaded the Louisiana State University Center for Wetlands Resources to study the environmental aspects of LOOP's proposal. Kaiser Engineers, of Oakland, Calif., won a \$100,000 contract to act as a consultant to the Superport Authority and to verify LSU's findings. By July, LOOP's proposal is expected to be accepted and an application to start work could be submitted to Washington a couple of months later.

EYES OF TEXAS

Louisiana was the first state to set up a commission to seek a superport. But Texas was not far behind. The Texas Offshore Terminal Commission, set up last fall, is holding hearings on how a superport terminal should be planned, financed, and built. It already has one eager bidder—a consortium of 12 oil and chemical companies that operates under the name of Seadock.

All 12 companies have refineries or petrochemical plants on the Gulf Coast between Lake Charles, La., and Freeport, Tex. The

group envisions a system that could handle up to 4-million bbl. a day and has leased land in the Freeport area on which to build storage tanks that would be included in the \$400-million project.

Some 200 miles of pipelines would be needed to bring the crude ashore and distribute it to all the member companies. The offshore terminal would be located 20 mi. to 30 mi. out in the Gulf. Like the Louisiana superport, the Texas plans call for using a single-point buoy mooring system to which a 500,000-ton supertanker could tie up and unload its crude. In the initial stages, there would be several buoys, each attached to its own base on the Gulf floor.

LOOKING AHEAD

The buoy system, according to spokesmen for both LOOP and Seadock, is inherently safe because it will allow a supertanker to swing freely with the tide as it unloads its cargo. In a hurricane, the buoy might rip loose from its mooring, but no tanker would be unloading then. Plans are on the drawing-boards for other, more expensive offshore superports. Among them:

A mother ship, or floating storage, system in which a permanently anchored tanker would be used as a docking point.

A floating wharf that would permit the unloading of solid as well as liquid cargo.

An offshore island that would cost more but would be far less vulnerable to storm damage.

Such facilities would take much longer to build. But neither LOOP nor Seadock rules out the possibility that it can expand plans to include such things once federal legislation permitting superports becomes law.

OTHER VOICES

Some states, such as Delaware, have balked at bringing in superport facilities. Delaware's Coastal Zoning Act bans any significant industrial growth along or near its coastline, and the state's present governor believes that it also outlaws any superport in Delaware Bay. But other states take a different tack. New Jersey's Senate this week rejected a bill that would have placed a four-year moratorium on construction of any superport. But it did approve another bill giving the state's Commissioner of Environmental Protection authority to control industrial development along the Jersey shore.

"States like Delaware and New Jersey have industry to the teeth," comments P. J. Mills, executive director of Louisiana's Superport Authority. "The environmentalists there raise unshrilled hell when anything like plans for a superport is announced, and the politicians respond to the furor. Just the reverse has happened in Louisiana. We brought the environmentalists in first and the state took the lead, not private enterprise."

AND TO THE NORTH

On Canada's east coast, one superport already is operating. It was built by Gulf Oil Canada Ltd. at Port Hawkesbury, Nova Scotia, to serve its 100,000-bbl.-a-day refinery there. The port has unloaded crude from the 326,000-ton Universe Japan, owned by multi-billionaire shipping magnate Daniel K. Ludwig, with no problems.

Across the Strait of Canso, on the mainland, the Province of Nova Scotia is building a \$30-million terminal in hopes of attracting refineries. It already has signed up one customer, Shaheen Natural Resources, which is building a 200,000 bbl. per day refinery there. And in St. John, New Brunswick, work has started on a \$400-million superport designed to cash in on the deep water of the Bay of Fundy, just a few hundred miles north of New York.

The Province of Quebec, too, wants a superport on the lower St. Lawrence River. One of the proposals for this—made by Ashland

Oil Canada, Ltd. and New England Petroleum Co.—is for a deepwater port able to handle 300,000-ton tankers. A 42-in. pipeline would connect the on-shore storage tanks, 130 mi. east of Quebec, with Montreal and a smaller diameter pipe would continue on to Buffalo and Oswego, N.Y., where both Ashland and New England Petroleum refine crude oil.

IS HUD BIGGEST U.S. SLUMLORD?

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. CRANE. Mr. Speaker, Americans increasingly lost faith not only in their political leaders, but in Government itself. There are good reasons for this loss of faith and, in many respects, it should be welcomed rather than feared. Why Government ever possessed such faith is a more interesting question to explore than why it is now losing it, but the facts of today's political life remain misunderstood by too many.

One of Government's most obvious failures has come in the field of housing. Discussing public housing in the New York area, Harrison Salisbury of the New York Times declared that the Fort Greene project in Brooklyn is a "20 million-dollar slum" ideal for breeding criminals. Such projects, Salisbury states:

Are centers of juvenile delinquency. They spawn teenage gangs. They incubate crime.

A housing man is quoted as saying that:

The first thing that happens is the kids begin to destroy the property. Even before it is built. They steal the place blind. As soon as the windows go in they smash them. They smash them again and again. What difference does it make, it's public, ain't it? That's what they say.

A great deal is at stake in the area of public housing. The budget for the Department of Housing and Urban Development for 1974 has grown to \$4.8 billion, and there is an additional \$7.4 billion in "carryover" funds to "finance already approved model cities, urban renewal and related projects at current levels for several years to come."

One much discussed example of Government waste and mismanagement in this area is that of the Pruitt-Igoe housing project in St. Louis. Discussing this project, Wayne H. Valis notes that:

It was designed to be one of the showplaces of low-rent housing programs, was built to house 10,000 low-income residents of a rapidly deteriorating St. Louis neighborhood. Constructed at a cost of over \$75 million dollars, the 60-acre site contained 33 high rise units which were widely regarded as excellently constructed buildings.

What happened? Mr. Valis points out that:

The projects' residents included many drug addicts, and crime, violence and vandalism soon became rampant. As the situation deteriorated, HUD planners and St. Louis officials resorted to the ultimate remedy. First, 24 of the 33 units were closed, and the pop-

ulation of Pruitt-Igoe was reduced to 2,000—a demolition program was begun in early 1972. Several of the high rises were immediately blown up and “an indeterminate number” were slated to have their top seven stories lopped off. The cost of this creative solution: \$38 million, which, when added to construction costs, brings total costs to about \$114 million, or \$57,000 per Pruitt-Igoe resident.

In an important article in *Human Events*, Mr. Valis details the manner in which Federal involvement in the housing field has led to widespread fraud and corruption. He concludes that:

HUD has become the largest slumlord in the U.S., owning thousands of unprofitable homes throughout the country. In fact, HUD is now the largest home owner in several U.S. cities.

At a time when we are reconsidering the great amount of power which has, in recent years, been centered in Washington, it is instructive to consider Government failures in the housing field.

I wish to share with my colleagues the following article by Wayne H. Valis, assistant to the director for legislative analysis of the American Enterprise Institute for Public Policy Research, and insert it into the *Record* at this time.

IS HUD BIGGEST U.S. SLUMLORD?

(By Wayne H. Valis)

In recent years the Defense Department's cost overruns and proposed new weapons systems have been examined in minute detail by the nation's news media. Television specials have focused on alleged wasteful or unnecessary defense spending and newspapers such as the *New York Times* and *Washington Post* have repeatedly zeroed in on the Pentagon. While this attention presumably has contributed to the process of making intelligent public policy, there has been no such scrutiny of federal housing programs.

Although occasional indictments of federal officials or businessmen connected with housing programs are reported, the media has not shown the same zeal in examining the Department of Housing and Urban Development as in probing the Defense Department. In light of the current controversy over President Nixon's “freeze” of new HUD commitments, some facts and figures are in order.

In a recent letter to Sen. John J. Sparkman, chairman of the Banking, Housing and Urban Affairs Committee, Kenneth R. Cole Jr., director of the President's Domestic Council, described federal housing programs as “inequitable, wasteful and ineffective in meeting housing needs.” The letter explains that, in the President's view, the U.S. housing program doesn't serve the poor, but “Instead, in many cases, the programs have created false expectations, more financial hardship and disappointment.”

The letter concludes that “Until the development activities are folded into the revenue-sharing proposal, there will be a temporary suspension of new commitments for water and sewer grants, open space and public facilities loans.”

This harsh evaluation and the unparalleled “freezing” of a major social welfare program have delighted many conservative critics of HUD, but have aroused a swarm of liberal congressmen and a host of special interest groups. Sen. William Proxmire (D-Wis.) called the Cole letter “an insult,” while Sen. Robert Packwood (R-Ore.) said it “almost smacks of blackmail.”

Rep. Wilbur Mills (D-Ark.) predicted that federal housing subsidies would probably be continued, despite the Administration's position, and challenged the constitutionality

of the President's action. The president of the National Association of Home Builders termed Mr. Nixon's position as “disastrous,” and over 60 officials of urban-oriented interest groups met to “plan ways of fighting the freeze.” Finally, a coalition of 32 groups involved with the federal housing program expressed “shock and dismay” over the President's actions.

It should be clear that a lot is at stake in this battle. The HUD budget for 1974 has grown to \$4.8 billion, and there is an additional \$7.4 billion in “carry-over” funds to “finance already approved Model Cities, urban renewal and related projects at current levels for several years to come.”

Recent studies have indicated that, unless halted or slowed by presidential or congressional action, spending for low-income housing programs alone will reach \$7.5 billion by fiscal 1978. The same report indicates that “long-term commitments to pay for housing already completed or started would cost, in current dollars, at least \$65 billion and possibly as much as \$92.7 billion over the next 40 years.”

In addition to these expenditures, the federal government, according to the *National Journal*, is committed to paying \$41.4 billion over the next 40 years on housing-related debt service alone.

The Administration has charged that these expenditures primarily have benefited developers and speculators rather than the poor, and have “tended to undermine the capacity of local government to respond to the needs of their citizens.”

No doubt the President had the now infamous Pruitt-Igoe public housing project in mind, among others, when he reached such a conclusion.

Pruitt-Igoe, designed to be one of the showpieces of low-rent housing programs, was built to house 10,000 low-income residents of a rapidly deteriorating St. Louis neighborhood. Constructed at a cost of over \$75 million dollars, the 60-acre site contained 33 high-rise units which were widely regarded as excellently constructed buildings.

Problems arose from the outset. The project's residents included many drug addicts, and crime, violence and vandalism soon became rampant. It also became apparent that too many people with too many problems had been crowded into too small an area. As the situation deteriorated, HUD planners and St. Louis officials resorted to the ultimate remedy. First, 24 of the 33 units were closed, and the population of Pruitt-Igoe was reduced to 2,000. Since it is widely known that vacant buildings attract the worst elements in society, HUD realized that something had to be done with the empty buildings.

Showing the creativity for which bureaucracy is justly famous, a demolition program was begun in early 1972. Several of the high rises were immediately blown up and “an indeterminate number” were slated to have their top seven stories lopped off. The cost of this creative solution: \$38 million, which, when added to construction costs, brings total costs to about \$114 million, or \$57,000 per Pruitt-Igoe resident.

In an interview in the *National Journal*, [ex-]Rep. John S. Monagan (D-Conn.) said, “We are destroying it in order to save it. It sounds like something out of Jonathan Swift, or better yet, Voltaire. It's a satire on the public housing program, the ultimate proof that nobody wants it.”

Those who would contend that Pruitt-Igoe's high cost is an exception should note former HUD Secretary George Romney's estimate that a \$17,500 apartment unit built under the usual 40-year interest-subsidy program will cost the taxpayer between \$108,358 and \$141,854 during the 40-year span.

One of the major criticisms levelled at

HUD, and many other governmental social programs, is that it often substitutes political values for market (economic) forces. An amusing, if expensive, illustration took place in December 1972, in Wyoming.

For various reasons, HUD decided to bring urban renewal to downtown Cheyenne (population 40,000). One of the major programs in the Cheyenne renewal project was the construction of a new parking lot designed to relieve congestion in the “center city” business district. For three years federal and city officials planned the lot, which was to accommodate 171 cars. Finally, at a cost of \$300,000, the lot was opened to the public. There was only one problem: nobody came.

Unfortunately the urban renewal lot was further away from the heart of the business district than the old-fashioned, “congested,” metered parking spaces, and, consequently, people wouldn't use it. Realizing the potential for embarrassment, the city council lowered the monthly parking fee from \$12 to \$7. Alas, to no avail. After six full weeks of operation the total revenues brought in were 75c. A telling case of the futility of attempting to replace the law of supply and demand by bureaucratic fiat.

The most severe and damaging charges against federal low-income housing programs, however, are the allegations of widespread fraud and corruption. Probes of such charges have resulted in grand jury hearings in nine cities, and indictments have already been returned in New York, Philadelphia, Chicago and Detroit.

In the four cities where indictments have been returned, FHA officials, realtors, contractors, builders and accountants have been indicted on a wide variety of counts, including bribery, falsification, conspiracy to defraud, conflict of interest and income tax evasion.

In Detroit, for example, high-ranking local HUD officials and FHA officials were in collusion on a variety of schemes involving default and foreclosure of over 20,000 FHA-insured homes.

The fraud and corruption victimize not only the taxpayer, but also the poor, and therein lies an even more scandalous tale. Marginal and deteriorating neighborhoods are “block-busted” by real estate dealers, who acquire houses, most of them in various stages of decay, at extremely cheap prices. The houses are given inexpensive facelifts, and then reappraised at unrealistically high levels by local FHA appraisers (many of whom are local realtors). The FHA then backs inflated mortgages on the homes, which are sold to the poor. The *Philadelphia Inquirer* reported that one enterprising speculator averaged a 172 per cent markup on his FHA-backed properties.

The deteriorating, inflatedly priced homes are then sold to poor people—quite often, by design, to the worst risks realtors can find. This process has led to the mass abandonment of entire neighborhoods by low-income owners, largely black and Puerto Rican, who either can no longer afford or who simply are unable to maintain and keep their houses. At this point, as one study notes, “Once the mortgage is in serious default, the private lender holding the note will foreclose on the property, and HUD, as the guarantor, must pay the lender and take possession.”

In this tragic and expensive way HUD has become the largest slumlord in the U.S., owning thousands of unprofitable homes throughout the country. In fact, HUD is now the largest home owner in several U.S. cities.

The entire low-income housing subsidy program has reached enormous proportions. It has grown in bits and pieces, with far too little hard-headed economic analysis of its provisions. The time is long since past for a halt in these programs and, at least, a pause for consideration of the entire program. The President's proposed housing subsidy freeze

is directed to this purpose and should be supported. Clearly here is a case where alternative proposals and new studies are desperately needed.

LEGAL DIGNITY FOR THE POOR

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. STEIGER of Wisconsin. Mr. Speaker, over the past 6 months, the Committee on Education and Labor has worked diligently to develop a viable legal services proposal. Hearings have been held throughout the country as well as in Washington. We have heard from leading spokesmen for the organized bar, client groups, elected officials, and the administrators of the Office of Economic Opportunity.

The committee bill is a compromise which preserves the strengths of the program, while strongly restricting the potential for abuses. I am pleased that the committee action has received the support of the Los Angeles Times. I am inserting their editorial in the RECORD for the consideration of my colleagues in the House:

LEGAL DIGNITY FOR THE POOR

Eight years of experimentation and experience have proved the value of government-funded legal assistance to the poor. The service has brought new dignity to the poor and a new potential for them to realize the constitutional promise of equality before the law.

This success is now recognized in President Nixon's proposal for an independent National Legal Services Corp. and in the implementing legislation that has already cleared committee in the House of Representatives.

There is not time to get the corporation in full operation by July 1, when the old authorization under the Office of Economic Opportunity expires, but there is provision for continuing existing programs during the next year while the corporation is set up. That is important. For any interruption of this service would be an injustice.

Changes in the President's proposal are being worked out in Congress to ease some of the restrictions he had sought to impose. Of particular importance, it seems to us, is an amendment to assure attorneys in the program full rights under the canons of ethics and the codes of professional responsibility of the American Bar Assn.

It appears that the new legislation will give Mr. Nixon broader authority, for the appointment of the corporation's 11-member board than he would have had under legislation approved in Congress last year. The appointments do, however, require Senate confirmation, which may be adequate guarantee of diversity in board members.

Mr. Nixon also seems to have won acceptance of his plan for advisory councils, appointed by the governors, to monitor the legal services in each state.

In his message to Congress a fortnight ago, Mr. Nixon noted the controversies created when federally sponsored programs have run counter to state and local officials. But he emphasized, above all, that "we have learned that legal assistance to the poor, when properly provided, is one of the most constructive ways to help them help themselves," and that "justice is served for better and differences

EXTENSIONS OF REMARKS

are settled more rationally within the system than on the streets."

We are not worried about the potential for controversy. It would seem inevitable. We are confident that our judicial system can resist abuse. Most important, we think, is providing the corporation with the freedom, independence and flexibility so that the poor have the same access to the judicial system, the same prospect for justice in their civil disputes, as are now available to those with higher incomes.

HEAD SHRINKERS ATTACK POOR

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. HAWKINS. Mr. Speaker, in recent weeks, public attention has been called to the continued lobbying efforts of the OEO Acting Director Howard Phillips and his inner-circle staff.

Members of Congress, and sometimes the public, through OEO-furnished misinformation, are being brainwashed with ending the war against poverty based on the "Horrible example" technique.

This modern head shrinkers operation was most recently revealed by an article which appeared in the Washington Post, under date of June 6, 1973. I call this most informative and revealing statement to the attention of our colleagues especially those who have resisted Mr. Phillips' offer to supply them with shady material to attack the poor:

OEO'S PHILLIPS MAKES END RUN

(By Nick Kotz)

OEO Acting Director Howard Phillips may have lost his battle against the legal service program in the White House, but he is continuing it in Congress, supplying speeches for congressmen attacking legal services.

Phillips also has issued new regulations for legal services, which officials of the American Bar Association say are inconsistent with the plan for a legal services corporation approved by President Nixon.

The President appeared to have settled an inter-administration fight several weeks ago by endorsing legislation for a public corporation to provide legal services for the poor, and rejecting Phillips' plan to have legal service programs distributed through revenue sharing.

Therefore, proponents of the legislation in Congress and the bar association were startled to see Phillips issuing regulations, which could change the direction of the present program, which will continue until Congress establishes a corporation.

In addition, Phillips has been lobbying on the Hill.

The Washington Post obtained from congressional sources speech material which was recently prepared by Phillips' aides at OEO and used in speeches by congressmen attacking the whole concept of legal services for the poor.

A comparison of the OEO speech material with a round of speeches by congressmen attacking the program on the House floor on May 31 suggests that at least three congressmen used the OEO material.

The OEO speech material, which included the proper comments of congressional address, such as "Mr. Speaker," was entitled "Legal Aid Societies Do a Better Job With Less Money."

Rep. L. A. "Skip" Bafalis (R-Fla.) cited statistics showing that legal aid societies did a

better and more economical job in Indianapolis and Boston. The material was identical to the OEO material, as was the quotation that followed in which an anonymous Boston lawyer described legal services as "a collection of highly paid, indolent attorneys who are getting rich easily at the taxpayers' expense, while all the needy must bring their problems to the hard-working, low-paid attorneys of the legal aid society."

Rep. Roger Zion (R-Ind.) attacked legal services' representation of groups by saying "group representation has usually meant involvement with such groups as the Welfare Rights Organization, tenants' rights groups, the NAACP, the American Civil Liberties Union, and at times, the Black Panthers and other militant groups." The OEO speech material contained identical language.

Rep. Sam Devine (R-Ohio) also attacked the legal service program, using material identical to the OEO prepared speeches, including the questioning of whether Congress is going "to continue to subsidize a program which is spending more time attempting to radicalize America than it is in helping the poor."

Lawrence Straw, acting associate director of OEO, denied that Phillips is opposing the administration's bill in Congress or seeking to wreck the program by issuing new regulations.

"We're part of the administration team and we are supporting its proposal as team members," said Straw. "The fact that we have given congressmen material pointing out abuses doesn't mean we are opposed to the corporation."

Straw said the OEO speech material, which is highly critical of legal services as a concept and as it has operated, would be given congressmen who requested such material.

The new legal service regulations would go into effect June 29, which is one day before the present law ends. Congress and the administration are expected to extend temporarily the present legislation and transfer its administration to HEW.

However, Straw said it is possible that OEO would continue to administer the program.

The proposed new regulations are contrary to the White House-proposed bill in that they would prohibit lobbying by legal service attorneys, would severely restrict group representation, and would define the mission of legal services as solely to represent individual clients.

Robert Meserve, president of the American Bar Association, protested to Phillips that he was attempting to change the program at a time when Congress and the President were adopting a new one.

"Although thwarted in his attempts to completely dismantle legal services," said Rep. Patricia Schroeder (D-Colo.) of the new regulations, "Phillips is still doing his best to see that the existing program is well crippled before its hopeful transition into a corporation."

SAN DIEGANS VIEW THE ISSUES

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. VAN DEERLIN. Mr. Speaker, we have just finished tabulating the results of my biennial survey of opinion in California's 41st Congressional District. As usual, there were some surprises.

I was heartened both by the number of returns, more than 22,000, and by the fresh guidance provided by a quite unex-

pected outcome on some of the questions. For example, more than four of every five respondents indicated they felt abortions should be a matter for the woman and her doctor to decide; in view of the emotions on all sides of this issue, I had anticipated a much closer result.

Reaction was mixed on other issues presented in the questionnaire. The majority response on some questions was conservative, while on others a liberal viewpoint prevailed. Once again, my constituents have demonstrated their independence, ideological as well as political.

President Nixon evidently has suffered some loss of trust in a district which gave him 53 percent of its vote in last November's election. The questionnaire was mailed in late April, just as the Watergate affair began hitting the headlines on a daily basis. Only 25 percent said they had more confidence in the President then when he first took office, while a plurality of 46 percent reported less confidence and another 29 percent indicated their feelings about Mr. Nixon were unchanged.

On a matter of perhaps more immediate concern to this body, 39 percent supported tax credits to help offset the costs of sending a child to a parochial or other nonprofit private school, but even more—55 percent—were opposed to this form of tax relief.

A complete listing of the results follows:

1. Since the U.S. was so heavily involved in the war in Indochina, should we help pay the costs of rebuilding

(Answers in percent)

a. South Vietnam?	22
b. South and North Vietnam?	11
c. Neither of them?	67

2. The Supreme Court has acted to relax state abortion control laws. Do you think abortions generally should be

(Answers in percent)

a. Left to the woman and her doctor?	82
b. Regulated by Government?	13
c. Other	5

3. Should tax credits be granted to help offset the costs of sending a child to a parochial or other non-profit private school?

(Answers in percent)

a. Yes	39
b. No	55
c. No opinion	6

4. Now that the Vietnam war is over, the Government must decide what to do about young Americans who left the country to escape being drafted. In your opinion, should the draft evaders

(Answers in percent)

a. Be granted unconditional amnesty?	12
b. Be pardoned, but only on condition they perform useful public service for a period of at least 2 years?	31
c. Be required to face trial?	45
d. Other	12

5. Do you sense more or less friction these days between Government and the press?

(Answers in percent)

a. More	64
b. Less	5
c. Unchanged	20
d. No opinion	11

6. Would you favor or oppose a federal "shield law" to protect newsmen from being compelled to disclose sources of confidential information?

(Answers in percent)

a. Favor	61
b. Oppose	30
c. No opinion	9

7. The U.S. must build flood control works in the Tia Juana River Valley, under agreement with Mexico. Do you think

(Answers in percent)

a. The channel should be as short and unobtrusive as possible to preserve the natural state of most of the valley	37
b. The channel should extend to the ocean, to afford full protection against flash flooding and thereby foster residential & commercial marina development	44
c. No Opinion	14
d. Other	5

8. At present, the Highway Trust Fund is only for roadbuilding. Do you favor or oppose proposals to let local government divert some of this money to rail and bus transit?

(Answers in percent)

a. Favor	59
b. Oppose	36
c. No opinion	5

9. Automobiles are blamed, rightly or wrongly, for most air pollution. Would you consent to rationing of gasoline if necessary to meet Federal air quality standards?

(Answers in percent)

a. Favor	32
b. Oppose	63
c. No opinion	6

10. The broadcast of early election returns from the East, where polls close earlier, shared blame for a disappointingly low turnout of California voters in last November's election. Would you favor or oppose a requirement that voting places everywhere in the Nation be closed simultaneously in national elections?

(Answers in percent)

a. Favor	67
b. Oppose	22
c. No opinion	10

11. Do you think handguns and their owners should be registered and licensed in the same fashion as autos and their drivers?

(Answers in percent)

a. Yes	67
b. No	30
c. No opinion	3

12. Should the Federal Government spend more, or less, or about the same amounts of money it is now doing for the following activities?

(In percent)

	More	Less	Same
Health	60	11	29
Education	44	20	37
Defense	29	40	32
Consumer protection	60	12	28
Pollution control	58	14	28
Helping the poor	40	28	33

13. President Nixon has held office more than four years. As compared with how you felt about him in 1969, do you now have more confidence in Mr. Nixon, less confidence, or about the same degree of confidence?

(Answers in percent)

a. More confidence	25
b. Less confidence	46
c. Same degree of confidence	29

14. Should the President have the right to refuse to release money after it has been appropriated for specific purposes by Congress?

(Answers in percent)

a. Yes	33
b. No	60
c. No opinion	6

15. Perhaps, in these questions, I've missed some activity—or inactivity—of Government that is of particular concern to you. If so, please tell me about it in the space remaining:

(NOTE—Tabulating these comments reflects the following priorities:)

1. Immediate tax reform.
2. Increased crime control.
3. Stricter welfare regulations.
4. Domestic prices should be brought under control.
5. Increased pollution control.
6. Excessive and inefficient Government spending.
7. Watergate investigation should be actively pursued.
8. Social Security benefits should be increased.
9. General health care.
10. Veterans' benefits should be increased.
11. Increased emphasis on domestic programs.
12. Recomputation for retired military.

TRIBUTE TO HORACE M. CARDWELL THE CHAIRMAN-ELECT OF THE AMERICAN HOSPITAL ASSOCIATION IN HOUSTON

HON. CHARLES WILSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. CHARLES WILSON of Texas. Mr. Speaker, I am proud to join these persons who last week in Houston honored Horace M. Cardwell, the chairman-elect of the American Hospital Association.

During a dinner held in conjunction with the 44th annual convention of the Texas Hospital Association, hospital administrators and members of 20 other health care organizations affiliated and allied with THA joined in paying tribute to Mr. Cardwell and his lovely wife, Billie Jo.

Mr. Cardwell, who is the administrator of Lufkin Memorial Hospital, Lufkin, Tex., was praised for his many contributions to health care and hospital administration in Texas and was the subject of a pictorial essay on his rise to the high office of chairman-elect of the American Hospital Association.

Mr. Cardwell was born in Oklahoma City, Okla., and received a bachelor's degree in economics from Texas A. & M., College Station, in 1941. From 1941-45, he served in the U.S. Army holding the rank of lieutenant.

For 1 year, Mr. Cardwell was medical representative for Lederle Laboratories, a division of American Cyanamid. He became assistant administrator of Hermann Hospital, Houston, Tex., in 1946, and from 1948 until the present, has been administrator of Memorial Hospital.

He has served as treasurer, vice president, president, chairman, and trustee of the Texas Hospital Association, and has served on councils, committees, on the board of trustees, and in the house of

delegates of the AHA. Also, Mr. Cardwell is a fellow of the American College of Hospital Administrators.

Since 1954 Mr. Cardwell has been chairman of the Hospitals-Insurance-Physicians Joint Advisory Committee of Texas, and since 1962 he has been a director of Blue Cross-Blue Shield of Texas. He served as president of the State Board of Vocational Nurse Examiners for 8 years. In 1970 he received the Earl M. Collier Award from the Texas Hospital Association as administrator of the year.

Mr. Cardwell has been active in civic affairs in Lufkin, serving as campaign chairman and director of the executive committee of the United Fund.

As chairman-elect of the American Hospital Association, Mr. Cardwell chairs the general council of the AHA, among other duties, and is one of the three elected officers of the Association.

On January 1, 1974, Mr. Cardwell will assume the chairmanship of the American Hospital Association and as the chief elected officer will be chairman of the board of trustees.

The people of Lufkin are very proud of Mr. Cardwell and join with the health community of Texas in wishing Mr. Cardwell great success in his role with the AHA.

SPEAKER SOLOMON BLATT

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DORN. Mr. Speaker, Speaker Solomon Blatt has served for 33 years as Speaker of the South Carolina House of Representatives. Speaker Blatt announced to the South Carolina House of Representatives Wednesday that he will retire as speaker effective July 31 of this year. According to all the historical records available Speaker Blatt has served as presiding officer over a legislative body longer than any other man in the history of the world. I have learned of no one serving as presiding officer in a parliament, assembly, or senate who has served as long as Speaker Blatt. Records going back to the Roman Senate and even to ancient assemblies of Greece indicate no one with a longer tenure of service as presiding officer or speaker.

Speaker Blatt is known nationwide for his long service, but more importantly he holds a record of unsurpassed dedication and devotion to representative government. He is a man of unquestioned parliamentary skill and absolute integrity in upholding our democratic institutions. The entire Nation and, indeed, free people the world over can point with pride to this great exponent of individual liberty and freedom. People in far-flung reaches of the earth fighting to preserve and to establish democracy can take heart from a man like Solomon Blatt who has served so long and so well the cause of representative government.

Mr. Speaker, we in South Carolina are proud of Mr. Blatt. Without question one of the greatest American statesmen of our time. The American people can be proud of his distinguished service. As a Nation known as the Melting Pot, a haven for the oppressed and for minorities, those seeking religious and individual freedom, we can be proud that Solomon Blatt is of the Jewish faith. Only in America could the son of an immigrant from Russia become one of the free world's greatest legislators. South Carolinians are particularly proud that it was possible in America and in South Carolina. Nathan Blatt, father of the speaker, came to America in 1893 and started work as a peddler. He traveled between Charleston and Augusta for 2 years, often carrying a 125-pound pack of dry goods on his back. Nathan Blatt saved enough to start a small store in Blackville, S.C., and after several years in America was able to pay for passage to America for his wife and son Jake, who had remained behind in Russia. Jake Blatt, and a sister, Rose, passed away in their youth. Solomon Blatt was born at Blackville in 1896. Only Solomon and another sister, Becky, now Mrs. Edward Mirmow, survived.

Solomon Blatt entered the University of South Carolina at age 16, later became a distinguished attorney and a member of the bar of South Carolina, and he is a veteran of military service in World War I.

How refreshing it is, Mr. Speaker, that our Nation afforded the opportunity for the oppressed of Europe, the victims of totalitarian states that then, as now, denied equal opportunity to the Jewish people. These people found this Nation a land of promise and opportunity where a man is respected for what he is.

Solomon Blatt was first elected to the South Carolina House of Representatives in 1932 and in his second term he became Speaker pro tempore. In 1937 he was elected Speaker of the House and has served continuously in that position with the exception of the period 1947 through 1951 when he did not offer for the Speakership.

Mr. Speaker, I served under Speaker Blatt in the South Carolina House of Representatives in 1939-40. Over the years he has been an inspiration to hundreds of young legislators. His fairness and skill as a presiding officer has won the respect of all who served with him, and Speaker Blatt has taken the opportunity to cede the chair temporarily to women legislators, black legislators, and members of the minority party.

During his tenure, South Carolina has developed a highway system that is generally recognized as the best in the world. Under the speaker's leadership, South Carolina has developed a triple A rating in the bond markets and a tradition of fiscal responsibility. We have a technical education system that is the model for all the world and an educational TV system second to none. Our State has made fantastic economic progress, with great industries attracted by

the progressive good government so splendidly personified by Speaker Blatt.

Mr. Speaker during these crucial times the story of Solomon Blatt is an inspiration to all of us and reassurances about our republican form of government. The heritage of tolerance is contagious in South Carolina. From colonial times the South Carolina Jewish community has made tremendous contributions to the history and to the economic and cultural development of our State. Not too far from where I live today is a monument to Francis Salvador, who represented my home area in the First and Second Provincial Congresses of South Carolina, which eventually threw off British rule, established the colony's independence and reconstituted itself as the first General Assembly of independent South Carolina. Salvador thus became the first Jew in American history to serve in a legislative assembly and he became the first Jewish patriot to give his life in the cause of the revolution when killed by Indians and Tories near Seneca, S.C., less than a month after the adoption of the Declaration of Independence. Bernard Baruch, financier and advisor to Presidents, often remarked that whatever discrimination he might have encountered elsewhere because of his religion, he never met it in his native South Carolina. Solomon Blatt's superb record of public service is a manifestation of this great tradition.

Mr. Speaker on March 18, 1920 Solomon Blatt married the lovely Ethel Green of Sumter, and in 1970 they celebrated their golden wedding anniversary. This wonderful lady has been a loving helpmate through the speaker's years of service. Their son Solomon Blatt, Jr., is a distinguished U.S. district court judge and a great American in his own right.

On Wednesday in announcing his retirement as speaker, Mr. Blatt announced he would be a candidate for reelection to the House from his beloved Barnwell County. We are tremendously pleased that our State can continue to benefit by his public service. Mr. Speaker, with great pride I take this opportunity to salute a great American who has served as speaker of a parliamentary body longer than anyone in history, a dear friend, and wish for him every continued success.

PUBLIC OPINION IN MICHIGAN'S FOURTH DISTRICT

HON. EDWARD HUTCHINSON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. HUTCHINSON. Mr. Speaker, each year since 1965, I have sent an annual questionnaire to all postal patrons in the Fourth Congressional District in Michigan asking for their opinions on leading issues. The 1973 questionnaire was mailed

in May and I have just received the tabulated results. More than 12,000 of the questionnaires have been returned to my office. Because the form afforded space

for three voters in each household, I received the views of more than 24,000 of my constituents. As in previous years, an independent concern in the metro-

politan Washington area was retained to tabulate the results. Complete survey results—rounded off to the nearest full point—follow:

1973 SURVEY RESULTS

[In percent]

	Yes	No	No opinion
1. Should Congress reestablish the death penalty for the Federal crimes of treason, Presidential assassination, kidnapping, skyjacking, or killing a policeman or prison guard on duty?	84	13	3
2. Do you favor U.S. economic aid to North Vietnam?	7	91	2
3. The President has announced his determination to hold Federal spending to \$259,000,000,000 this year and \$268,000,000,000 next year. Should Congress adhere to those limitations?	85	12	3
4. The proceeds of the Federal tax on motor fuels go into the Highway Trust Fund, out of which Federal aid is distributed to the States for construction of highways. Should the proceeds also finance urban mass transit systems?	29	68	3
5. An earlier Congress moved the observance of Veterans Day from its traditional date to the 4th Monday in October. Should Congress return Veterans Day to its traditional date, Nov. 11?	81	16	3
6. Should Congress allow a State to impose higher standards on the production and sale of meat products than Federal law requires?	80	18	2
7. High water levels in the Great Lakes are causing heavy losses to the owners of lake shore property through erosion and flooding. Should the Federal Government finance the building of protective works along the shoreline?	42	55	3
8. Should the Federal Government make long-term low-interest loans to property owners along the Great Lakes to assist them in rebuilding or relocating their buildings lost by erosion due to wind and wave?	70	28	2
9. Would you favor strict controls on:			
A. Wages and prices?	72	25	3
B. Interest rates and rent?	75	21	4

AT LONG LAST: A BALANCED LEGAL SERVICES CORPORATION

HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. ERLBORN. Mr. Speaker, 1973 seems to be the year of reruns in Congress. Unlike presentations repeated on our television screens, however, presentations repeated in Congress for the second, third, or the fourth time are always different from the earlier versions. Moreover, they frequently improve by virtue of exposure.

One of these is the quest of many of us for the creation of a Legal Services Corp. At long last, I believe we have found a resolution of the obstacles this proposal has encountered. I refer to H.R. 7824, a measure which will be brought before us soon.

Columnist James Kilpatrick agrees, and I urge both proponents and opponents of legal services programs to read Mr. Kilpatrick's analysis of H.R. 7824 as it appeared Monday, June 4, in the Washington Star-News:

LEGAL SERVICES: A NECESSARY BALANCE

(By James K. Kilpatrick)

The legal services bill just reported in the House is a product of compromise, which in politics is no bad thing. The bill contains more safeguards than the liberals really wanted, but it is not quite as restricted as some of us on the conservative side had wished. With a little common sense all around, it should do the job that needs to be done.

That job is immensely important. No concept in our political system ranks higher than the concept of equal justice under law. It is tied directly to another great principle, that ours is a government of law, not of men. In actual practice, these precepts contain more myth than reality, but we have a responsibility, nonetheless, to strive in these directions.

The present program of Neighborhood Legal Services, providing advice and counsel to more than a million poor persons every year, expires at the end of this month. The House bill would keep the program going under a new and independent Legal Services Corporation.

In its original form, the bill authorized

services for individuals or families whose income did not exceed 200 percent of the officially established poverty level. This would have extended eligibility to persons with an income of \$8,400, which struck some of us as unreasonably high. The provision has been dropped. It now is proposed to leave eligibility to guidelines that would be fixed by the corporation's governing board. These guidelines, as I understand it, would be intended to limit free services to the "poorest of the poor," but they would take into account a client's assets, debts, medical expenses and other considerations. The approach seems workable, and not especially susceptible to abuse.

The original bill authorized the board to establish "a schedule of fees which will require the client, if able, to pay at least a portion of the cost of legal assistance." Under the strenuous opposition of the American Bar Association, this provision also has been dropped. The ABA enthusiastically supports the concept of legal services for the indigent, but it saw in the partial payment plan the specter of a socialized legal profession.

Most of the criticism that has been hurled at the Neighborhood Legal Services in recent years has resulted from overzealousness, ranging into radicalism, on the part of high-flying young lawyers. The bill contains several provisions intended to clip their wings.

Participating attorneys thus would be prohibited from engaging in "any political activity," including activity in voter registration. They could be barred from participating in, or encouraging others to participate in, "riotous, civil disturbance, picketing, boycott, or strike." In every state, an advisory council, appointed by the governor, would maintain a watchful eye for violations. Still another safeguard, written into the bill at the request of Kentucky's Carl D. Perkins, would hold down the number of Harvard redhats by requiring that the corporation first seek local attorneys, familiar with community problems.

These provisions, if they are faithfully observed, should eliminate much of the hostility engendered in California and other states by eager beavers out to serve a cause. Doubtless there still will be abuses, or what seem to be abuses, but activist lawyers who refuse to abide by these rules can be weeded out as time goes on. The possibility of abuse is a poor excuse for killing the bill.

Some of my brother conservatives, notably those of Human Events, are deeply opposed to the whole program. I respect their opinions, but I think in this case they are wrong. One of the great foundation stones of our philosophy is the rule of law. Take this away, and a civil society turns into a mob.

But the "rule of law" becomes meaningless if it cannot be applied evenhandedly to rich and poor alike. This bill would not perfectly balance the scales of justice, but it would help; and in this imperfect world, that seems enough to ask.

ANOTHER LOOK AT THE GENOCIDE CONVENTION RATIFICATION

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. LEGGETT. Mr. Speaker, the United Nations Convention on the Prevention and Punishment of the Crime of Genocide—the so-called Genocide Convention—has come once more before the Senate for debates with an eye on ratification. The Genocide Convention was adopted by the U.N.G.A. on December 9, 1948 and came into effect on January 12, 1951. This country was one of the 43 signatories to the Convention. As of January of 1970, some 75 nations had ratified it. Though this is not a very encouraging figure having regard to the overall importance of the Convention as a treaty dedicated to solving a contemporary world socio-political problem of universal concern, it may be noted that during the last 10-15 years, many of the newly independent nations of Africa and Asia were admitted to the U.N., and only a very small proportion of them have had the time to consider and ratify the Convention. As of January of 1973, there were 132 members of the U.N., a good number of which were admitted many years after the signing of the Convention. Even the United Kingdom ratified this Convention only in 1970.

Mr. Speaker, I would like to crave the indulgence of this House to make a few remarks on the convention.

Since our signing the Convention in 1948, the Senate has had two occasions to consider the ratification issues arising out of this country's efforts to ratify the Convention. On both occasions, ratification failed primarily because of the strong opposition mounted against it by a faction in this country. The Senate is now confronted with the issue of rati-

fication and we are once more witnessing polemical bombardments from the opposing fronts with name-calling thrown in with self abandon.

Views expressed by both camps represent diverse sentiments which in the final analysis, gloss over the crucial point to which more attention should have been directed all along. The crucial point is the impact our ratification of the Convention would have on this country's posture as a world power, rather than the trivial and in fact, farfetched local questions upon which many an opponent of ratification has been harping. These local questions in essence draw attention to legal implications possibly attending upon ratification, on the domestic front. I think that the questions are important, but I do not think that they are in and of themselves rational criteria for deciding matters of this magnitude. The many facets of racial, ethnic, or institutional factors which many speakers on the matter have deemed crucial are not peculiar to this country alone. They are even more profound and catastrophic in many countries that have ratified the Convention. The explanation of this trend seems to me to consist in the realization that the spirit of the Convention is a necessary and welcome complement to the local problems of socio-economic nature in these countries. This seems to me to be the right approach to the matter. We seem to have been swept off our feet by tides of sentimentalism. On the other hand, the supporters of ratification are not all together innocent of overromanticization.

Be this as it may, I would like to urge that the ratification issue be looked at in a new light. We should defer to those considerations which advance an internationally oriented position which this country should take on the matter. This internationally oriented position is that which displays unequivocally a rational attitude concerning the ramifications of the Convention as opposed to a sectionalized perspective. This external element appropriately appraised, will place us in a better position to join forces with other nations to break the currents of deviancy, individual or group machinations and bigotry which can be really forceful and devastating. I do not see how our ratification of this Convention will threaten or even upset our internal institutions—whether juridical, social, or political.

We have been more concerned about the possible repercussion on us if we were accused of committing genocide either internally or on the outside. This is just one side of the coin. What will be our possible remedy if others were to commit genocide upon any of our racial, ethnic, or religious groups as such from without? What protection do we have against external violations, and what standing do we have to protect those small and weak nations from the hands of powerful allies if we sweep the Convention under our carpet? The world is no longer a vast span of diversified natural body. It has been reduced to a single neighborhood, due mainly to the interactions of science and technology. And as a single neighborhood, we should

be more wary of those reprehensible phenomena which will come in the wake of communality.

We have laws on the statute books which proscribe certain acts in no less positive tones than the Convention has attempted to proscribe. But we seem to have no laws which protect us from the outside in the manner and form proposed by the Convention. Our criminal jurists agree that our system is far from being perfect. Indeed, none is; and this is why I think the Convention is indispensable as a complement to our imperfect penal system, and indeed, that weak institutional edifice erected by the Charter of the United Nations.

In conclusion, I would like to stress that we would be making a grievous mistake if we should underestimate the potentials of the outside in what they are capable of doing to foul up international cooperation and peace by machinations and subterfuge.

I strongly urge my colleagues in this House to give the Senate all the support that body needs in its current attempt at ratification.

NO PHANTOMS FOR SAUDI ARABIA, KUWAIT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. ROSENTHAL. Mr. Speaker, the Nixon administration is considering selling F-4 Phantom fighter-bombers to Saudi Arabia and possibly to Kuwait.

In my opinion, this would be a grave mistake because it would significantly alter the balance of power in the Middle East. The State Department promises it will not conclude the sale without strong assurances that the planes will not be given to Egypt or some other country for use against Israel. But the Department admits that such promises are unenforceable.

I am vigorously opposed to such a deal and I have written to the Secretary of State to express my concern and urge reconsideration. My letter to Secretary Rogers follows:

JUNE 8, 1973.

HON. WILLIAM P. ROGERS,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: I am deeply disturbed by the Administration's plans to sell Phantom fighter-bombers to Saudi Arabia and possibly Kuwait. In my opinion, this will have a strong adverse affect on the balance of power in the Middle East, and I strongly urge your reconsideration of this plan.

I know the President wants to help pro-western Persian Gulf states defend themselves against the threats of hostile, radical neighbors such as Iraq, which bristles with Soviet armaments, and South Yemen. Unlike the weapons the United States has been selling the Saudis to protect that regime from revolt or attack by her Arab neighbors, Phantoms are highly sophisticated offensive weapons which pose a direct threat to Israeli security.

I am aware of the Administration's intention, as voiced by Mr. Sisco, to get strong assurances that the planes will not be given to a third country, such as Egypt, for use against Israel. You are well aware, I know, that such "assurances" are virtually unenforceable. Furthermore, experience has shown we should be very suspicious of these promises.

This government in 1966 assured Israel that Jordan would not use her newly acquired American tanks against Israel, but the following year the tanks were sent across the Jordan River in the Six Day War. Most recently, Libya has sent as many as 38 of its Mirage jets to Egypt despite a non-transferability clause in its purchase contract with France.

Saudi Arabia and Kuwait have vowed to help destroy Israel, and they contribute heavily to the Arab war machine and to Palestinian terrorists. What is to guarantee that if war breaks out again in the Middle East, Saudi Arabia and Kuwait will not turn over their Phantoms to Egypt or some other Arab state or use them against Israel themselves? Nothing.

The United States cannot and should not contribute to the volatile Middle East situation by increasing the quantity and quality of weapons in the arsenals of Arab states sworn to use every means to destroy Israel.

Sincerely,

BENJAMIN S. ROSENTHAL,
Member of Congress.

DOUBLE STANDARD—HOW IT WORKS

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. KUYKENDALL. Mr. Speaker, one of the best byproducts of the Watergate case is that it is making all of us take some good hard looks at ourselves—not only those of us in public office, but in such areas as the private campaign financiers and the news media.

A distinguished national columnist, Mr. Roscoe Drummond, has placed the finger of his conscience squarely on one aspect of this side benefit, and I would like to bring it to the attention of this body.

The column, which appeared in the Christian Science Monitor, reads as follows:

DOUBLE STANDARD—How It Works (By Roscoe Drummond)

WASHINGTON.—One of the most worthy and welcome reforms from Watergate would be an end to the double standard of political morality which has been so visible in recent years.

As senator, as vice-president, as President, Richard Nixon has been the object of this double standard more than most in American public life.

STANDARD OF TOLERANCE

It is happening again in the context of Watergate. I want to point out how it works, not to justify nor extenuate one iota of the Watergate offenses, but to bring into the open something which calls for reform as does Watergate.

I will deal with aspects of the Ellsberg matter, Chappaquiddick, and the Nixon-Helen Douglas senatorial campaign of 1950 in which Nixon's role is almost invariably described to this date as one of the "meanest,

most vicious acts of dirty politics in American history."

The essence of the double standard is that many, particularly in politics, condone motives and acts as moral and justifiable which they condemn as immoral and unjustifiable when practiced by others.

Daniel Ellsberg was enthusiastically hailed as a national hero when he violated his oath not to disclose secret material entrusted to him. When he took private documents belonging to the government he was praised as a brave and honorable person on the ground that he put conscience ahead of his commitments and acted to serve what he deemed the public welfare.

But this standard of tolerance was not applied to those who acted from similar motives and in what they deemed the national welfare in seeking to obtain the private papers of Ellsberg's psychiatrist. They were pervasively condemned as acting intolerably.

A double standard? So it seems to me.

TOTAL REJECTION

I prefer to condone neither. I prefer to condemn both equally in total rejection of the idea that worthy motives justify unworthy acts.

Some portray Ellsberg as a Mahatma Gandhi or a Martin Luther King acting in the cause of civil disobedience, but Ellsberg never claimed he was breaking a law to call attention to a bad law, and he never contended that the government should not have the right to protect classified documents.

Take Chappaquiddick. When Judge John Sirica made it clear in federal district court that he thought the Watergate witnesses were covering up essential facts, the Washington Post, preeminently, and the Los Angeles Times succeeding in uncovering much of the truth.

But earlier, when Judge James A. Boyle of the Dukes County district court in Massachusetts said he couldn't believe crucial parts of Sen. Edward Kennedy's testimony, some of the press tried to uncover other facts—and failed.

Senator Kennedy said he "rejected" Judge Boyle's "inferences and ultimate finding" and Judge Boyle rejected the senator's. But was the enthusiasm of the press to get at the truth in the case of Senator Kennedy and Chappaquiddick as great as it was to get at the truth in the case of President Nixon and Watergate? The gap between Judge Boyle and Edward Kennedy remains unclosed. Both can't be right and this should provide a challenge to some investigative reporter to try to get to the truth.

Now, the Helen Douglas-Nixon campaign in California is frequently offered as the classic, indisputable example of what ruthless tactics Nixon used to propel himself up the political ladder. Without ever going back to verifiable sources to check the facts, political writers to this date cite this campaign as "standard Nixon."

The facts are quite different.

California's senior Sen. Sheridan Downey, up for a third term, had to withdraw from the Democratic primary (in which Mrs. Douglas was seeking to unseat him) because of "weak health." Whereupon Manchester Boddy, editor and publisher of the only Democratic newspaper in Los Angeles—The Daily News—entered the contest.

APPLY LESSONS

He launched an anti-Communist crusade against Mrs. Douglas which pulled out all the stops in the political callopie. He said her election would constitute a "blueprint for subversive dictatorship." He said that "there was indisputable evidence of a statewide conspiracy by a small band of shadowy red-hats to infiltrate by stealth and cunning the nerve centers of our Democratic Party"—and that Helen Douglas had to be stopped.

It was the Democrat, not Nixon, who con-

cocted the famous "pink sheet" showing that Helen Douglas voted the same as Communist-sympathizer Vito Marcantonio 48 times when she was a member of the House. It was candidate Boddy, not candidate Nixon, who argued that Mrs. Douglas "gave comfort to the Soviet tyranny" by voting against aid to Greece and Turkey.

After Mrs. Douglas won the Democratic nomination and she and Nixon were opposing each other in the election, Nixon circulated copies of the Vito Marcantonio-Helen Douglas voting parallels which Manchester Boddy had used against her.

Did you even hear of the "sneaky, tricky, ruthless campaign" waged against Mrs. Douglas by her Democratic opponents? No, these are the descriptions repeatedly attributed to Nixon's pallid version of the same thing.

Is that a double standard? I leave it with you to decide.

My plea is not to justify Watergate. Let's bring it all into the open and apply its lessons. Hopefully one of its lessons ought to be to try to erase the double standard from the face of American politics and American journalism.

STUDENTS WORK FOR "GIFT" OF PEACE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. EDWARDS of California. Mr. Speaker, the students at Cubberly High School in Palo Alto, Calif., for the last year have devoted their best efforts to raising money and to encouraging other students in 35,000 schools across the country to contribute their energies and class gifts for the addition of a burn center to the Children's Medical Relief International, Center for Plastic and Reconstructive Surgery in Vietnam. Feeling that the burn center would be a "gift of hope, love and life", the students are seeking not only to protest the atrocious consequences of war, but also to show that youthful protest of war can be a constructive, lasting force for peace and understanding. In selecting the CMRI's center for plastic and reconstructive surgery, the students have considered carefully and have given excellent reasons for supporting this hospital, citing its uniqueness, its location in the children's home country, its nonpolitical, and bipartisan nature, its staff of international specialists and its efforts to train Vietnamese medical personnel. They have emphasized that by contributing to this cause they can both help the estimated 50,000 to 100,000 Vietnamese children who are maimed for life and focus world attention on the suffering that is incurred and must continue to be endured by innocent children as the result of war. Their goal of \$1,000,000 for the establishment of a burn center sounds remarkably insignificant, but in terms of the good that it will achieve and the meaning that it will have, not only for Vietnamese children but for those students who have helped to make it possible, it is a contribution that will serve as an unequivocal statement of the dedication of young people in the United States to peace, humanitarianism, and

international understanding. I feel that every American can take pride in these students and should do what he can to encourage and assist their dedicated efforts.

JERSEY CITY'S EGYPTIAN COLONY FINDS PEACE, SECURITY, JOBS

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, Hudson County, N.J., which I have the honor to represent in this House is famous for the number of ethnoreligious and ethnic groups which dwell in harmony together, often despite serious divisions on the other side.

Mr. Speaker, one of the most interesting groups of people who live in the 14th Congressional District is the Egyptian descended community. Both Coptic Christians and Moslems live in my Congressional District and I am happy to say they live in harmony with each other and the rest of the people who make up the mosaic of Jersey City and Hudson County.

Mr. Speaker, everyone in Hudson County is impressed with the Egyptian community. They are hardworking people who like many who came before them simply wish to improve their lot in life through their own efforts. They are a welcome addition to Hudson County.

Because so many Members may not be familiar with the Egyptian people I ask that a most interesting article from the May 30, 1973, edition of the Jersey Journal be reprinted at this point in the RECORD.

The article follows:

JERSEY CITY'S EGYPTIAN COLONY FINDS PEACE, SECURITY, JOBS

They come to Jersey City from New York, Philadelphia, Los Angeles, Cairo and Alexandria.

All of them have college degrees; yet many live here because the rents are low enough to support a family on a security guard's salary.

Jersey City's estimated 5,000 Egyptians have come to America not as refugees from poverty or war, but because they see America as a land of unlimited opportunity.

"In Egypt," observes Mohamed Eisa, a cost accountant who lives here and works in New York, "life is simple and you can live cheaply. In America, life is hard and expensive, but you have the freedom to make as much money as you want. You pay taxes, the rest is yours."

In Egypt a professional worker is paid a fixed salary by the government.

Eisa works at a job for which he received training in Egypt. Abouel Kier Gad, who came to America two and a half years ago armed with an engineering degree, has, like many Egyptians, found his degree virtually useless.

But, like many Egyptians, he is holding down two jobs and saving his money for the future when he will take enough graduate courses to make his degree operative.

"America is a fine place," Gad says eagerly, speaking across the counter of the small grocery he owns on Kennedy Boulevard. "Here you can make all you want."

Adel Morgan, an agricultural engineer,

came to America four years ago. He heard that New Jersey was called "the Garden State" and he settled in Jersey City because he thought he could "work in the gardens."

He is now a supervisor in a Newark plastics company.

Morgan says he came to America for the same reason the colonists came to America, for opportunity.

When he is asked what he does in his spare time, Morgan explodes with laughter. "We have no time!" he says. "Here in America you have to keep running all the time to make a living."

All the Egyptian men queried about leisure activities said they had no time for leisure.

Since 1965 several thousand Egyptians have settled in Jersey City. The city's proximity to New York, where many of them work, is the reason first given by Egyptians as to why they choose to live here.

Since many hold down menial jobs while attending graduate school, they can live in low-rent districts with more safety than they could have in comparable neighborhoods in New York.

Abouel Gad, who was mugged twice when he lived in the Williamsburg section of Brooklyn, says "it is nice here—quiet." He says New York is too dangerous for his children.

Recent immigrants chose Jersey City because they already have friends, relatives and a place to worship here.

Jersey City has a storefront Moslem mosque at 2326 Kennedy Boulevard and a Coptic Orthodox Church at 427 West Side Ave.

The Copts and the Moslems—who have been at odds in Egypt for nearly 2,000 years—are at peace in America.

"We cannot get away with fighting here," says Abouel Gad, a Copt, who claims to have twenty-five Moslem friends. "In America, we are Egyptians. We attend different churches, but we are brothers."

Mohamed Elsa says that there is one disadvantage of living in America:

"In America there is great wealth but little humanity. In Egypt it is the opposite."

"Here everyone is independent. They mind their own business, that's it."

Elsa says he thinks the "lack of humanity" is the reason crime is rampant in America.

"There is little crime in Egypt, Elsa says, "because there the pace is slow, and we have time to care for each other."

INCOME OVER AND ABOVE

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. TAYLOR of North Carolina. Mr. Speaker, in line with procedure I have followed in disclosing in CONGRESSIONAL RECORD statements the amounts and sources of my income over and above my salary as a Member of Congress for each year I have been in Congress up to and including calendar year 1971, I am hereby making public such information for calendar year 1972.

Following is an itemization of the income received during 1972 by my wife and me, in addition to my salary as a Member of Congress:

From a family-owned dairy farm in Leicester Township of Buncombe County, North Carolina

\$765.89

From dividends from a variety of stocks and bonds (most belong to me; some are owned by my wife)

\$3,616.58

From capital gains on installment and other sales of Black Mountain, North Carolina real estate; and sale of farm cows

2,462.70

From interest on purchase money real estate notes; savings deposits; and Swannanoa, North Carolina Baptist Church bonds, etc.

658.15

Total 7,503.32

The stocks and bonds were purchased in western North Carolina at market value and most of them represent investments in North Carolina companies. All of the income mentioned above comes from property investments, and not from the use of my time, all of which is devoted to congressional responsibilities. I am a lawyer by profession but have not engaged in any practice since coming to Congress in 1960.

In addition to the above income, I received from the North Carolina Employees' Retirement Fund \$1,212.18, qualification being based on many years' employment as Buncombe County attorney before coming to Congress.

SEPARATION OF POWERS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DRINAN. Mr. Speaker, the enclosed article by my colleague ELIZABETH HOLTZMAN appeared as the lead article in the New York Law Journal on Law Day. Congresswoman HOLTZMAN's article is an excellent discussion of the questions of executive abrogation of congressional war powers, executive impoundment, and executive secrecy.

I commend it highly to the attention and consideration of my colleagues:

THE SEPARATION OF POWERS: EXECUTIVE ENCROACHMENT

(By ELIZABETH HOLTZMAN)

"If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way in which the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed."—George Washington's Farewell Address.

The advice offered by our first President at the close of his second term of office has extraordinary relevance today. There is presently a dramatic struggle between the legislative and executive branches of the Federal Government, the outcome of which could drastically affect the basic nature of our republic.

At the expense of Congress, the President is pursuing policies which, if unchecked, would allow him or any future President to assume virtually absolute control over this country's military activities and unprecedented power over domestic policy as well. Even worse, the Administration is seeking to carry out these policies underneath a

cloak of secrecy . . . secrecy not only for official governmental acts—but for wrongdoing within the Administration.

EARLY FEAR

The concentration of unlimited power in the executive branch was an overriding fear of the drafters of our Constitution. Their underlying premise was expressed by Justice Jackson in the famous *Steel Seizure* case:

"With all its defects, delays and inconveniences, men have discovered no technique for long preserving democratic government except that the executive be under the law, and that the law be made by parliamentary deliberations."

The threat posed to the separation of powers is an appropriate issue for the Bar to focus upon as we observe Law Day, a day set aside to commemorate our respect for the rule of law and the Constitution.

There are three examples of executive encroachment that might usefully serve as the starting point for further inquiry by the Bar. This brief analysis simply highlights the fundamental problems posed by centralization of power in the executive.

EXECUTIVE ABRIGATION OF CONGRESSIONAL WAR POWERS

Constitutional Background: Article I, section 8, specifically grants to the Congress the power to declare war as well as raise armies. Although Article II provides that the executive shall be "Commander in Chief of the Army and Navy . . .," this provision does not diminish the power granted to the Congress under Article I.

James Madison's notes of the proceedings at the Constitutional Convention reveal a clear intent on the part of the drafters to avoid the British experience, where the monarch had the absolute power to embark upon a course of war extracting both the blood and the treasure of unwilling subjects. The drafters intended to preclude the executive's use of armed forces abroad absent an affirmative declaration of war by Congress.¹ Alexander Hamilton, one of the foremost exponents of a strong Chief Executive, typified the desires of the drafters when he stated in the *Federalist Papers*:

"The President is to be commander-in-chief of the army and navy of the United States. In this respect his authority would be nominally the same with that of the king of Great Britain, but in substance much inferior to it. It would amount to nothing more than the supreme command and direction of the military and naval forces . . ." while that of the British King extends to the declaring of war . . . which by the Constitution under consideration would appertain to the legislature."

As Jefferson pointed out in a 1789 letter to Madison, the purpose of placing the power to declare war in the hands of Congress was to aid the cause of peace: "We have already given, in example, one effectual check to the dog of war, by transferring the power of declaring war from the executive to the legislative body, from those who are to spend to those who are to pay."

Military intervention

The Administration has recently begun to launch massive and daily B-52 raids over Cambodia on behalf of the faltering Lon Nol regime. Because of the secrecy shrouding this military activity, no one outside of the relevant executive agencies knows its exact cost in human suffering and in tax dollars—much less its necessity.

This new Cambodian military exploit was commenced almost before our country was able to enjoy the peace it had been seeking in Vietnam. It was also undertaken despite growing concern over the executive's abuse of

Footnotes at end of article.

the war-making powers in the Vietnam arena.

The Administration has been understandably unsuccessful in justifying its military involvement in Cambodia. The previous justifications for military activities absent Congressional declaration in Vietnam—the Gulf of Tonkin Resolution and the need to protect our troops there—are not available in the Cambodian venture. The troops have been withdrawn and the Gulf of Tonkin Resolution was repealed in 1971.

Nor is the Southeast Asia Treaty of any use to the executive in this regard. Because it is a treaty, never approved by the House of Representatives, it cannot be considered a declaration of war by Congress. The Treaty itself contains a provision that no signatory shall be bound to any commitment which is in violation of a constitutional restriction.² Finally, the Lon Nol regime renounced the Treaty in 1970.

Accords support cited

The Administration has suggested that a continued American military presence in Cambodia is required in order to insure the viability of the Cease Fire Accords. But this surely is not constitutional authority for the undeclared war because the Accords were never submitted for Congressional approval. Indeed, it is ironic that the President feels constrained to utilize this settlement, which supposedly brought the United States "peace with honor," as a basis for further military intervention in Southeast Asia.

The general refusal of the courts to reach the constitutional issue in cases attacking the need for Congress to enforce the constitutional requirement that war cannot be conducted in the absence of its formal and explicit declaration.⁴

In short, the Administration is carrying out the kind of military effort that the Founding Fathers were intent upon preventing through the safeguard of congressional approval. One that is unilateral, expensive and damaging to the nation's well-being.

EXECUTIVE IMPOUNDMENT

The Constitution provides that the power to appropriate funds is the exclusive prerogative of the Congress (Article I, section 9). The President in turn is charged with responsibility that "the laws be faithfully executed." He administers the disbursements of congressionally appropriated funds. However, President Nixon has turned the process on its head through a wide-scale use of impoundment, or refusal to expend funds according to the intent of Congress.

The Nixon Administration in its first four years impounded over \$40 billion, including \$14.7 billion since June 30, 1972. These funds were intended by Congress to be used in such diverse areas as housing, public health, food stamps, veterans' benefits, highway improvement, and water-pollution control.

In impounding funds, the President was not instituting minor "economies." Instead, whole programs were nullified as in the case of eighteen-month moratorium placed on federally subsidized housing.

The President's impoundment of funds violates the constitutionally prescribed veto process. According to the Constitution, if the President chooses to veto legislation, he must resubmit it to Congress where the veto may be overridden by a two-third vote of both House.⁵ An example which most dramatically demonstrates the conflict between the President's impoundment policy and the Constitution's veto provisions is President Nixon's refusal to spend water-pollution funds. The President initially vetoed this measure, which Congress by a substantial margin then overrode. However, President Nixon, ignoring this congressional reaffirmation, has impounded one-half of the appropriated funds,

thereby having the last word on this important domestic policy.

The Constitution also precludes an item veto by the President, thus giving Congress extra legislative leverage. Accordingly, Congress may conceivably avoid a veto (and the need to amass a two-thirds majority) by tacking onto programs of special interest to the President ones that are unpopular with him. If passed as one bill, he cannot veto one program and sign the other. The President's impoundment policy indirectly gives him the opportunity to veto the unfavorable legislation by allowing him to refuse to spend the money appropriated for it.

Needs still exist

One basis cited by the Administration to support the legality of impoundment is the Anti-Deficiency Act (31 U.S.C., sec. 665[c]). This provision, however, was intended to allow the executive discretion to withhold appropriated funds only when the appropriation had already been accomplished and further expenditures were unnecessary. It certainly cannot be said that this country's desperate needs for housing, hospitals or water pollution control have been met.

The Administration also relies on the use of impoundment by other presidents to claim that there is implicit constitutional power to impound funds to deal with dislocations in the economy. However, most administrations have utilized impoundment in a manner consistent with the Anti-Deficiency Act. And none have used it on such a large scale to destroy congressional programs and implement their own spending priorities.

The President's claims have been refuted in weighty legal discussions, including a 1969 advisory memorandum written by the then Assistant Attorney General, William H. Rehnquist, in which he stated: "With respect to the suggestion that the President has a constitutional power to decline to spend appropriated funds, we must conclude that the existence of such a broad power is supported neither by reason nor precedent."

The Rehnquist opinion was supported in the Eighth Circuit's recent decision in *Volpe v. Highway Commission of the State of Missouri*.⁶ In that case, the court held that the Federal Highway Act gave the Administration no authority to impound funds in the Highway Trust Fund in order to reduce inflationary pressure. While the court was very careful to limit its holding to the act in question, implicit in its ruling was a determination that the executive has no inherent constitutional power to withhold appropriated funds in the absence of express congressional approval.

Unfortunately, the applicability of the decision to other instances of impoundment is uncertain. The Federal Highway Act included mandatory language with regard to appropriations under it (e.g., "the President shall spend"). Appropriation statutes often utilize other terminology (e.g., "may spend"). The Eighth Circuit decision leaves open the question whether the mere absence of mandatory language affords the President the statutory authority to impound funds.

EXECUTIVE SECRECY

The final illustration of Presidential encroachment on congressional prerogatives relates to President Nixon's claim to absolute discretion in determining whether Administration officials will accede to subpoenas from congressional investigation committees. This use of "executive privilege" is especially dangerous at the present time, for it allows the President to shield important information from Congress and the public, such as the facts surrounding the Cambodia bombing or the effects of impoundment on domestic policy. Yet, without an informed public it is exceedingly difficult to check these executive policies.

The Nixon Administration has been unable

to point to any specific constitutional or statutory authority to support its broad reading of the doctrine of executive privilege—and there is none. The President merely claims that the privilege is inherent in the separation of powers.

The President also claims that a broad executive privilege vests in the President by a "well-established precedent," which has been "utilized by our Presidents for over 200 years." The truth of the matter is that there is little precedent for such a doctrine. It was only sparingly used until the Truman and the Eisenhower years, when it was invoked to protect security files from congressional investigating committees on Communist witchhunts.

In fact, when President Truman refused in 1948 to turn certain files over to the House Un-American Activities Committee, Richard M. Nixon, then a congressman, declared "that the (Truman) order cannot stand from a Constitutional standpoint . . . (It would mean) that the President could have arbitrarily issued (such an order) in the Teapot Dome Scandal . . . denying the Congress . . . information it needed to conduct an investigation of the Executive department and the Congress would have no right to question the decision."

His earlier statements notwithstanding, President Nixon has utilized the executive-privilege doctrine more frequently than any other President in history.

Watergate refusal

Moreover, the President has departed from "precedent" by declaring that the privilege is absolute and covers testimony from his aides not only about policy matters, but criminal wrongdoing in or out of government. Hence, he has refused to permit his aides to testify before the Senate Select Committee investigating the Watergate burglary. Even President Eisenhower, who exercised the privilege thirty-four times, permitted his chief aide, Governor Sherman Adams, to testify before a House Committee investigating the Bernard Goldfine scandal.

The courts have not considered the validity of executive privilege when claimed to avoid compliance with the congressional subpoena. However, they have touched upon the subject in discovery questions in civil litigation. Although these cases are not dispositive on the congressional-executive struggle, no court has viewed the privilege as broadly as the President.

In general, courts have given deference to the claims of executive secrecy, on what appears to be common law basis, only in circumstances where the matter to be protected relates to advisory opinions upon which administrative policy is to be based or where disclosure would have an adverse effect on national defense.⁷ Even in the most sensitive national security matters, however, courts have looked to the requesting party's need for the material in question before they have finally ruled.⁸ If the material is relevant to the controversy and it cannot be obtained through any other source or testimony, great weight has been given to the request.⁹ In short, the interest of the executive is balanced against the needs of the private litigant.

Pentagon papers

One clear example of the balancing process is the Pentagon Papers case¹⁰ where the Supreme Court balanced the defendant's First Amendment right against the government's ability to keep classified documents from being published. The former interest prevailed.

Hence, the recent claims of President Nixon that courts will support his assertion of an absolute privilege appear to be greatly inflated.

The Administration's frustration with these judicial checks is evident from its last-

Footnotes at end of article.

minute intervention into the drafting of the Federal Rules of Evidence. After the deadline for public comment had expired the Justice Department prevailed upon the Judicial Conference to include a sweeping extension of the executive-privilege doctrine in these rules. The provision would have permitted the government to withhold any "secret" relating to national defense or international relations.

Aside from the fact that the rule nowhere defines "secret," the traditional court requirement that disclosure adversely affect national security was ignored. In addition, a section of this rule would have permitted the executive to refuse disclosure of a large category of documents and other information—most of which presently must be produced in the courts—if the government claims that disclosure would be "contrary to the public interest." In short, the Justice Department attempted to utilize the Supreme Court's rule-making process to codify the Administration's concept of executive privilege.

Because of the passage of legislation I introduced, these rules do not go into effect automatically under provisions of the Enabling Act, which govern Supreme Court rule-making, unless and to the extent that they are approved by Congress. This bill was overwhelmingly adopted by both Houses of Congress.

CONCLUSION

Nothing less than the viability of the Constitution is at stake in the present struggle between Congress and the President. And this problem should not be lightly considered merely because the erosion of checks and balances has not occurred with the flourish of a military coup. As Justice Frankfurter said: "The accretion of dangerous power does not come in a day. It does come, however slowly, from the generative force of unchecked disregard of the restrictions that fence in even the most disinterested assertion of authority."¹²

The major responsibility for redressing the balance of power lies with the Congress. For although these issues will continue to come before the courts, procedural obstacles—standing, justiciability, and mootness—may continue to preclude judicial resolution.

For example, the Supreme Court recently affirmed a lower-court decision that a determination of the propriety of our involvement in Vietnam was a political question and therefore federal courts lacked jurisdiction to resolve it.¹³ Moreover, even when courts do address these issues, litigation is a lengthy process.

It is fair to ask what Congress's role has been while it has gradually lost these powers to the executive. Partially the problem stemmed from the fact that that body has been conditioned to relinquish power in deference to the principle of "bipartisanship" stimulated by the Cold War era. This doctrine has dictated unquestioning obedience to the President in foreign affairs. Second, Congress has not had the technical ability to handle complicated fiscal issues, and has deferred to the President's expertise in this critical area.

Current proposals

Congress, however, is beginning to reassert itself. Bipartisanship is losing ground as an analytical standard for foreign policy. Proposals are before Congress now to provide it with the staff as well as the technical assistance necessary to make sophisticated judgments about spending priorities.

Remedial legislation has also been introduced that would reassert Congress' constitutional prerogatives in all areas—impoundment, war powers, and executive privilege.

It is my estimation however, that none of these measures will be approved, much less withstand a Presidential veto, unless the American people perceive the importance of

these issues as well as the dangers inherent in the concentration of power in the executive.

FOOTNOTES

¹ Youngstown Sheet & Tube Co. v. Sawyer, 343 U. S. 579, 655 (1952).

² A generally recognized exception to this principle is that the executive can clearly respond to an unannounced belligerent attack or other grave emergency pending congressional authorization. The failure of the President to act unilaterally in these instances would paralyze the country. See, e.g., Mitchell v. Laird, No. 71-1510 (D. C. Cir., March 20, 1973).

³ The Treaty provides that, in the event of armed attack on any member, each signatory will "act to meet the common danger in accordance with constitutional process." Article 4, paragraph 1. (Emphasis added.)

⁴ See, e.g., Atlee v. Laird, 347 F. Supp. 689 (E. D. Pa.) (three-judge court) aff'd per curiam sub. nom. Atlee v. Richardson, 41 U. S. L. W. 2356 (April 2, 1973). The Atlee court refused to examine the Constitutional issues pertaining to the President's military intervention in Indo China on the grounds that it was a political question. Six justices of the Supreme Court affirmed that decision without opinion. Three of the justices would have noted probable jurisdiction.

⁵ Article 1, section 7, of the Constitution also provides that in rare instances when the Congress shall "by their adjournment prevent" the return of a bill from the President, the legislation shall not become law. This provision is popularly known as a "pocket veto."

⁶ No. 72-1512 (April 2, 1973, 8th Cir.).

⁷ A recent publication of the Library of Congress indicated that President Nixon has used the doctrine to shield administration officials from testifying before congressional committees a total of nineteen times during his first four years in office. The Kennedy Administration utilized the privilege four times; President Johnson only used it twice. President Eisenhower holds the inevitable "two term" record, exercising the privilege thirty-four times.

⁸ See, e.g., Reynolds v. United States, 345 U. S. 1 (1953); Machin v. Zuckert, 316 F.2d 336 (D.C. Cir.) cert. denied 375 U.S. 896 (1963).

⁹ See, e.g., Reynolds v. United States, supra.

¹⁰ Id.

¹¹ New York Times Co. v. United States, 403 U.S. 713 (1971).

¹² Youngstown Sheet & Tube Co. v. Sawyer, supra, at 594 (1952).

¹³ See note four, supra.

PROF. ZVI GRILICHES COMMENTS ON BUDGETS OF NATIONAL INSTITUTES OF CHILD HEALTH

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DRINAN. Mr. Speaker, I would like to insert in the RECORD a letter which I have received from Prof. Zvi Griliches. Mr. Griliches is a professor of economics at Harvard University and, as is detailed in his letter, has a vital interest in the budgets of the National Institute of Child Health and Human Development and the National Institute of Neurological Diseases and Stroke.

Professor Griliches's letter is an excellent exposition of the topic. I commend it to the attention of my colleagues.

HARVARD UNIVERSITY,

Cambridge, Mass., May 7, 1973.

Congressman ROBERT T. DRINAN,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DRINAN: I have recently become aware and very concerned about the cuts in the already woefully inadequate National Institute of Child Health and Human Development (NICHD) and National Institute of Neurological Diseases and Stroke (NINDS) budgets. I hope that Congress will restore and expand the funds available to these Institutes.

I am not a medical scientist and hence this is not a private plea for my own research funds. I am, however, a father of a retarded child and hence I do have something at stake in this matter and have acquired some knowledge about the state of research in this area. As a professional economist, I would like to speak first about the overall allocation of resources in this area. But first some facts:

Roughly speaking, there are about six million mentally retarded Americans, about eight million children that suffer from reading and other learning disabilities, about two million epileptics, and about a million cerebral palsy sufferers. All these are chronic conditions. The total estimated cost of care for these diseases is over five billion dollars annually. And these computations do not include the time and anguish of parents nor do they count a variety of similar diseases such as multiple sclerosis or Parkinson's disease. (Figures from PHS Pub. No. 1427).

The total amount spent on research in this area is only a fraction of what is currently being spent or allocated for cancer research. Cancer is an important disease and research on possible ways of controlling it should be supported. But the disproportionate allocations are glaring. First, just the number of stroke victims are of the same order of magnitude as the mortality from cancer (102 versus 157 per 100,000 in 1967). Second, cancer strikes largely later in life. Finding a cure for it would prolong the average lifetime a little, but other degenerative diseases would "step-in" with age. On the other hand, mental retardation affects the whole lifetime of individuals. It ruins living lives. Its debilitary social effects are effectively about twenty times as large per incident, per case. Clearly, it is a large scale and persistent problem, with extensive social ramifications.

All of that might mean little, if there were no useful research leads. If there is no solution, there is little point in spending money on it, even if the problem is important. But this does not seem to be the case. There appear to be very promising lines of research which should be followed up and expanded. I shall mention only two: amelioration and treatment of epilepsy, hyperactivity, and some kinds of learning disabilities by chemical means is still in its infancy and appears to be very promising. Devising new ways of teaching and helping retarded individuals adjust to society (and society to the retarded individuals) via newly developed behavior modification techniques is another line of research and experimentation that is full of promise. Moreover, little is yet understood about the genetics of mental retardation or about the physiology and chemistry of the nervous system which produces these symptoms.

So what do we do? We cut the budget NICHD by 10 percent (1974 versus 1972 appropriations) in a period of about 15 percent total inflation implying a reduction of a full 25 percent in real resources devoted to research in this area. Similarly, the budget for research on epilepsy is going to be reduced by 20 percent! In real terms it means that research will be cut by a whole third. Moreover, the number of new research grants

funded in this area is expected to decline by over 80 percent!

Children don't vote and the mentally retarded are not likely to be politically active. The affluent old can exercise political power and get appropriations for research on the diseases that scare them. But how about the children who will have to spend their lives not understanding what the United States are about? Are we not responsible for them and to them?

I hope that you can help, at least, to restore the threatened cuts in the NICHD and NINDS budgets and prevent a contraction of the already meagre work in this area. Please let me know if I could be of some help to you in this or if you have further questions on this topic. In the future perhaps we could all work together to expand research on how to make the lives of a significant fraction of our children more livable.

Sincerely yours,

ZVI GRILICHES.

TRADE REFORM ACT OF 1973

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. VANIK. Mr. Speaker, the House Ways and Means Committee is currently holding hearings on H.R. 6767, the Trade Reform Act of 1973. These hearings and this legislation are of vital importance to all Members of Congress and to the entire Nation.

Because of the importance of this legislation, I would like to enter in the RECORD at this point a copy of a letter which I recently sent to the office of the special representative for trade negotiations concerning possible changes in labelling requirements on imported goods. I would also like to enter at this point a copy of the reply which I have just received from Mr. Harald B. Malmgren, deputy special representative.

I am hopeful that this information will help provide for informed debate on this legislation, which is of such vital importance to all Americans.

The letters follow:

HOUSE OF REPRESENTATIVES,
Washington, D.C. May 22, 1973.

HON. AMBASSADOR WILLIAM D. EBERLE,
Special Representative for Trade Negotiations,
Washington, D.C.

DEAR MR. EBERLE: In the House Ways and Means Committee print released in May of 1973 entitled, "Briefing Materials Prepared for use of the Committee on Ways and Means in Connection with Hearings on the Subject of Foreign Trade and Tariffs," there is a brief description of alleged U.S. non-tariff barriers.

With respect to the item on page 149 of this Committee print, which reads:

Mark or origin—The Tariff Act of 1930 requires that imported articles be conspicuously, legibly and permanently marked so as to indicate the country of origin to the U.S. consumer.

Is it the intention of the Administration that this provision be subject to negotiation and removal in the event that H.R. 6767 is enacted?

Further, if this provision were negotiated away, would there be anything in the law to prevent American manufacturers to stamp products made in the United States as having been made in the United States of America?

Thank you for your assistance in answering these questions prior to the beginning of Executive Session in Ways and Means on H.R. 6767.

Sincerely yours,

CHARLES A. VANIK,
Member of Congress.

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS,
Washington, D.C., June 6, 1973.

HON. CHARLES A. VANIK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN VANIK: Thank you for your letter of May 22, 1973, in which you inquire whether it is the intention of the Administration that the mark of origin requirement under the Tariff Act of 1930 be subject to negotiation and removal if the Trade Reform Act of 1973 is enacted, and whether American manufacturers would be prevented from stamping products as of domestic origin.

The inventory of nontariff barriers compiled in the GATT, consisting of about 800 notifications by member countries covering about 27 different categories of nontariff measures, includes a complaint against the United States by several countries which regard our mark of origin requirements and penalties as "excessive and burdensome." To date our marking requirements and those of foreign countries, such as those maintained by certain member states of the European Community, have not received attention in the GATT work program as a priority matter for solution.

The Administration view is that no form of trade-restricting or trade-distorting measure should be precluded from the outset as a possible subject of negotiation. It is not anticipated, however, that mark of origin requirements would be removed as a result of negotiations. The notifying countries did not propose their elimination. Rather, the prevailing view was to review, possibly strengthen, and ensure compliance with a recommendation on marks of origin adopted by the GATT in November, 1958, a copy of which I am enclosing. The resolution basically recommends the simplification or harmonization of these requirements, and reduction of their application to cases which provide information necessary for the final consumer rather than on all imported products. The view of foreign countries is that United States requirements have become an excessive burden upon exporters as a matter of general rather than exceptional application.

The marking of origin provision requires that upon importation into the United States the foreign exporter have marked the country of origin of the product. There is nothing in the law to prevent American manufacturers from stamping domestically-produced articles as having been made in the United States, whether or not the mark of origin provision in the Tariff Act of 1930 were removed.

I will be happy to answer any further questions you may have on this subject.

Sincerely,

HARALD B. MALMGREN,
Deputy Special Representative.

TRADE AND CUSTOMS REGULATIONS
MARKS OF ORIGIN

Recommendation of 21 November 1958¹

Considering that in Article IX of the General Agreement the contracting parties recognize that, in adopting and enforcing laws and regulations relating to marks of origin, the difficulties and inconveniences which such measures may cause to the commerce and indus-

try of exporting countries should be reduced to a minimum and that they have agreed on certain basic principles for the carrying out of this idea;

Considering that it would facilitate the attainment of the objectives of the General Agreement if the Contracting Parties were to agree on certain rules which would further reduce the difficulties and inconveniences which marking regulations may cause to the commerce and industry of the exporting country; and

Considering that nothing in this recommendation should be understood to prevent a country

(a) from applying more liberal provisions, or

(b) from accepting, but not requiring, other types of marking than that contained in the recommendation,

THE CONTRACTING PARTIES

Recommend the adoption of the following rules on marks of origin:

1. Countries should scrutinize carefully their existing laws and regulations with a view to reducing as far as they possibly can the number of cases in which marks or origin are required, and to limit the requirement of marks of origin to cases where such marks are indispensable for the information of the ultimate purchaser.

2. The requirement of marks of origin should not be applied in a way which leads to a general application to all imported goods, but should be limited to cases where such a marking is considered necessary.

3. If marks of origin are required, any method of legible and conspicuous marking should be accepted which will remain on the article until it reaches the ultimate purchaser.

4. The national provisions concerning marks of origin should not contain any other obligation than the obligation to indicate the origin of the imported product.

5. Countries should accept as a satisfactory marking the indication of the name of the country of origin in the English language introduced by the words "made in".

6. Commonly-used abbreviations, which unmistakably indicate the country of origin, such as "UK" and "USA", should be considered a satisfactory replacement for the full name of the country concerned.

7. Marking should not be required on containers of articles properly marked if they are not designed to be sold with the product, or are used for transport purposes only.

8. Marking on the container should be accepted in lieu of the marking of the product in the following cases:

(a) if this type of marking is customarily considered satisfactory;

(b) if the type of packing makes it impossible for the ultimate purchaser to open it without damaging the goods;

(c) in the case of goods which, because of their nature, are normally sold in sealed containers;

(d) in cases where a marking of the goods shipped in a container is impossible, such as in the case of liquids and gas, or other products that cannot be marked.

9. Imports for non-commercial personal use should be exempted from the marking requirement, including imports which are enumerated in the national customs laws in that context, such as imports of goods in consequence of inheritances, trousseaux, etc. and which are freed from duties in many countries.

10. Original objets d'art should be free from the marking requirement.

11. Goods in transit and goods while in bond or otherwise under customs control, for the purposes of temporary duty-free admission, should be free from the marking requirement.

12. Countries should make provisions that in exceptional cases the application of a mark

¹ See page 117 for the report by the contracting parties.

of origin should be permitted under customs supervision in the importing country.

13. The re-exportation of products which cannot be marked under customs supervision should be permitted without penalty.

14. Penalties should not be imposed in contradiction to paragraph 5 of article IX of the General Agreement, i.e. for failure to comply with marking requirements prior to the importation unless corrective marking is unreasonably delayed or deceptive marks have been affixed or the required marking has been intentionally omitted.

15. When a government introduces a system of marking, or makes it compulsory for a new product, reasonable notice should be given before the new provisions enter into force, and there should be adequate publicity for the new regulations, in conformity with the provision of Article X in the General Agreement.

16. The exporting countries which encounter difficulties due to the fact that an importing country is not in a position to comply with any one of the above recommendations may request consultation with the importing country in the sense of the provisions of Article XXII of the General Agreement with a view to the possible removal of the difficulties encountered and importing countries should accept any such request.

The Contracting Parties finally understand that no country shall be obliged to alter:

(a) any provision protecting the "truth" of marks, including trade marks and trade descriptions, aiming to ensure that the content of such marks is in conformity with the real situation;

(b) any provision which requires the addition of a mark of origin in cases where the imported products bear a trade mark being or purporting to be a name or trade mark of any manufacturer, dealer or trader of the importing country; and

Invite all countries to report to the GATT secretariat all changes in their legislation, rules and regulations concerning marks of origin in order to be permanently available for consultation. These reports, including the original texts, should be transmitted as early as possible and at any rate before September 1 each year.

PEACE FOR WHOM?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DERWINSKI. Mr. Speaker, Alex R. Seith is chairman of the advisory board and past president of the Chicago Council on Foreign Relations. As a public spirited citizen, he provides a regular column for community newspapers covering a broad range of foreign developments.

In view of the coming visit to the United States of the Soviet Party leader, Leonid Brezhnev, I felt that Mr. Seith's column, carried in the Homewood-Flossmoor Star of Sunday, May 27, was especially pertinent:

PERSPECTIVES: "PEACE FOR WHOM?"

(By Alex R. Seith)

The Soviets and the Germans made "peace" again recently and the rest of Europe didn't know whether to cheer or to cry. In theory, West German Chancellor Willy Brandt and Soviet leader Leonid Brezhnev did what everyone should want: Put aside the hatred of two World wars and signed a 10-year pact for economic, industrial and technical co-operation.

What troubles those who are conscious of history is that twice before in this century there has been a Soviet-German "peace" and twice before it has been the prelude to combat for someone else.

In March, 1918, the Treaty of Brest-Litovsk let Russia leave World War I and let Germany turn its full war effort to the Western front, where 50,000 Americans and thousands more allies were killed in battle before the final armistice of November 11, 1918.

In August, 1939, the Hitler-Stalin Non-Aggression Pact opened the way to Germany's first Blitzkrieg which after September 1 conquered Poland in a bare 18 days. "Lightning" conquests of France, Belgium, Holland, Norway and Greece soon followed.

Obviously, the Soviet-German agreement of 1973 is much different than those of 1939 and 1918. This time the subject is economic and industrial. The other times it was military and territorial. Now, the two nations have made affirmative pledges for mutual construction. Then, they made only negative promises to avoid mutual destruction.

By most standards, it is progress when, as last week, the chairman of Krupp Industries, whose munitions twice in this century laid waste to Europe, can lay plans for building Russia.

But the fear remains that the 1973 agreement, like its predecessors, will somehow benefit the Soviets in a way that ultimately harms nearly everyone else. A look back explains this apprehension about what lies ahead.

By March, 1917, three years of World War I had totally discredited Russia's autocratic Czarist regime and brought in that nation's first democratic government. But in October, 1917, Nicolai Lenin's Communists, temporarily won power on a pledge to get Russia out of the war. If Germany had refused peace with Lenin, his regime would probably have fallen. Instead, the Treaty of Brest-Litovsk boosted Lenin's popularity and enabled him to consolidate Communist power.

Similarly, in 1939, the Soviet Communists were at their weakest since Lenin had first precariously seized power. In 1937-38 purges ordered by Premier Josef Stalin decimated the best leadership of the Communist party and the Red army and revealed beyond doubt the raw brutality of Stalin's dictatorship. If Hitler's Wehrmacht had attacked Russia in 1939, the historical evidence is that Stalin's regime would have collapsed.

Instead, the 1939 Non-Aggression Pact gave Stalin time to rebuild and barely stave off defeat when Germany's onslaught finally came in June, 1941. Eventually the Red army pushed westward to help impose Communist governments in Poland, East Germany, Hungary, Czechoslovakia, Rumania, Bulgaria, Latvia, Estonia and Lithuania.

Now, the haunting question is whether the current Russo-German pact will "save" the Soviet system for the third time. It is unlikely that the Soviet Communists will lose power at any foreseeable time, no matter what Germany or any other nation does.

But it is likely that the Soviet economic system will continue to blunder and to fall steadily farther behind non-Communist nations in productivity and modernization. A decade ago, Premier Nikita Khrushchev boasted that the Soviets' gross national product (GNP) would surpass America's by 1970. Instead, our lead has widened and the prospect is that even the GNP of Japan, with less than half the population and only 1-20th of the territory, will surpass the Soviet Union's by 1980.

By turning to Germany for capital investments and industrial knowhow, Brezhnev has implicitly admitted the failure of the Soviet economists to produce domestic prosperity, despite military might. By giving the help requested, Germany hopes to build peaceful co-existence. But the question elsewhere is, "Peace for Whom?"

RED INTELLIGENCE NETWORK IN UNITED STATES GROWS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. RARICK. Mr. Speaker, the United Nations and our new soft on Communist national policy have proven a haven to Communist spies to infiltrate our country under the respectful role of diplomats.

We are now advised that there are 816 Soviets in the United States working with immunity from their diplomatic headquarters in New York City, Washington, and San Francisco. And this number does not include the 30 special Soviets who are presently in our country arranging security for the visit of the Communist Party leader Leonid Brezhnev's trip to Washington scheduled for June 18 through June 26. Additionally our country has been invaded by 454 diplomats of puppet nations of the Communist program and another 124 Red Chinese at the United Nations. We also have 41 Red Chinese diplomats now quartered at the Mayflower Hotel in Washington, not to mention daily visits from Communist journalists, acrobats and every other guise which offers a subterfuge for agents to infiltrate our country.

Despite all these new freedoms being granted in the spirit of international goodwill and cooperation, the Soviet Union continues to lavish 40 to 50 percent of its gross national product annually for military purposes. This in comparison with the U.S. investment of 7 percent. Related newscippings follow: [From the Baton Rouge (La.) Sunday Advocate, June 3, 1973]

SOVIET SPIES HERE

(By Victor Riesel)

NEW YORK.—It could be that the Soviet Union's most equal among equals, First Party Secretary Leonid Brezhnev, is being Watergated and is unaware that a substantial number of his 816 diplomats here, in Washington, and San Francisco are spies.

Since he will arrive here shortly as a guest of our state and be graciously hosted. I feel compelled to report this publicly though in all candor I do not believe he approves all espionage assignments personally. And I plead for no shield law to cover my source. It is the honorable, albeit somewhat tragic. L. Patrick Gray 3rd, former Federal Bureau of Investigation acting director.

It is he, with all the vast FBI intelligence documentation behind him, who said the Soviets have not relaxed their espionage operations in the U.S.—in fact, they have expanded them despite the entente cordiale, despite our feeding a hungry Russian populace and despite our grain exports to beef up their cattle herds.

There positively is no doubt that the Kremlin's espionage is into our fabulous industrial secrets and expertise so much needed in the U.S.S.R.—as well as into our nuclear, space and military developments.

Take it as fact, the Soviets also have infiltrated some unions.

A VANISHING CADRE

PAT Gray, despite all harassments, working with a swiftly vanishing cadre of top FBI foreign intelligence men—many of whom are considering retiring before July 1 because they've "had it"—told it this way:

"The Soviet Union continues to conduct

intelligence-gathering operations within the U.S. The FBI sees no relaxation in operations directed from the Soviet bases in New York, Washington and San Francisco. On March 1 there were 816 Soviet officials here, 45 more than a year earlier and almost 200 more than four years ago. A substantial proportion of the 816 are intelligence operatives.

"Compounding the threat from the Communist world is the presence here of an additional 454 (Communist) bloc officials, a sizable number of whom are also on intelligence missions. Evidence establishes a close coordination and cooperation between the Soviet and bloc intelligence services."

It would not be equal-handed of me to ignore the People's Republic of China. Gray reported there are 124 officials at their UN mission here. This complement has more than doubled this past year and says Gray, "can be expected to reach several hundred in the future." The FBI continues to probe them. After all, they're just across town from bureau headquarters here.

But back to Secretary Brezhnev. I haven't covered a Soviet Premier since shoe-on-the-desk-pounding N. Khrushchev. Comrade Brezhnev is a more realistic man. He could mix this realism with some gratitude and call off his KGB agents.

There are many reasons for a Soviet show of gratitude. The longshoremen, loathing it every minute, have agreed to handle the M. S. Lermontov, a Soviet cruise ship, when it arrives at Pier 40 here from Leningrad. Two days later it will head back to London, Le Havre, Bremerhaven and the home port. It will return on July 13 and August 15—the first such Red posh cruiser to be so "welcomed" in an American port, I'm told. It will have top Coast Guard security. Will it carry intelligence agents, as do virtually all Soviet missions according to our own National Security officials?

And then there is the projected \$85 million truck plan being financed by the U.S. Export-Import bank at 6 per cent interest in a day of 8 per cent money. Deferred payments won't start for four years. This money the Soviets will repay, it is hoped, in 12 years.

Now for grain. The Soviet population, according to intelligence sources and Dept. of Commerce and Agriculture experts with whom I've talked in the past two weeks, literally has been on the verge of hunger in some areas and starvation in the outer reaches. The food debacle has been worse than the world has been told.

Labor sources report the full Soviet purchase of grains for human consumption and feed for cattle will total almost 20 million tons. A fantastic amount.

There have been tough renegotiations in Moscow this past month over the July-December deliveries. We've gotten tough on rates. But all other dealings have been as cooperative as though Moscow never did tie up with the Nazis against our allies just before the big war.

EVERY COUNTRY POSSIBLE

Grain is being loaded and moved as swiftly as men and machines make it possible. There are some 25 Soviet shippings a month out of the Great Lakes, according to maritime labor leaders. This is mostly out of Duluth (Minn.) and Superior (Wis.). And this is one kind of grain. It moves on small Soviet freighters which can get into the lakes.

The big American and "third flag" ships are moving grain over an ocean bridge from Baton Rouge, New Orleans, and other ports. Houston has been on strike. International Longshoremen's Assn. (AFL-CIO) Local 1530 has refused to load some 15 freighters because of a wage dispute. But otherwise special grain needed by the Soviets in their southern regions where their cattle roam and breed and need feed is being hustled along to ports such as Odessa.

Every cooperation possible, every courtesy possible, every bit of expediting possible has been proffered and implemented for the Soviets.

They could, in turn, call off their spies. Even if for the duration. Or is it once a Leninist always a Leninist?—and as Khrushchev once said, they're still trying to bury us but they want to fatten a bit first.

[From the Baton Rouge (La.) Sun Advocate, June 3, 1973]

ESTIMATE OF SOVIET DEFENSE COST RAISED

MOSCOW.—The Soviet Union spends 40 to 50 per cent of its gross national product annually on defense, at least four times as much as it officially acknowledges, according to an unofficial study by two Leningrad economists.

The economists wrote under pseudonyms in a 28-page typescript circulating among dissident Soviet intellectuals. They estimated annual defense spending at the equivalent of \$54 to \$97 billion. The figure was imprecise and did not match the estimated defense spending for the particular year of the study because the economists were uncertain about assigning a dollar value to the costs.

The Soviet defense budget as announced officially by the government has been constant at 17.9 billion rubles, or \$24 billion, for the past three years. Western specialists have long maintained the published figures bore little resemblance to actual expenditures.

Using unclassified statistics, the two economists concluded that real defense expenditures for 1969, the year of their study, were not 17.9 billion but 80 billion rubles, or \$108.2 billion at current exchange rates.

They basically reached the figure by subtracting all known expenditures from the total of 167 billion rubles in state revenues. They assumed most of the remaining 87 billion rubles was spent on defense.

The two also estimated the Soviet Gross National Product (GNP) for 1969 ranged between \$130 and \$190 billion, far below the \$450 billion figure credited to the Soviet Union that year by Western economists.

The United States that year devoted to defense about 7 per cent, or \$73 billion, of its \$929 billion GNP.

But Westerners point out more than half of the U.S. defense budget is devoted to salaries, which is not the case with the Soviet armed forces and their lower-paid troops.

The two authors said the 80-billion ruble figure did not include an estimated 31 billion rubles worth of capital investment in the defense industry because they did not have enough information to know how much to include.

They concluded the nation was spending two-thirds of its national wealth on defense—"an unheard of phenomenon in world history."

[From the Washington Post, May 19, 1973]

SOVIET GROUP HERE PREPARES BREZHNEV TRIP

An advance party of 30 Soviet officials making preparations for Leonid I. Brezhnev's trip to the United States next month was flying from Washington to San Clemente today to inspect the California White House, according to State Department officials.

The group, headed by Yuri N. Chernyakov, general secretary of the Soviet foreign ministry, arrived here aboard a Soviet IL-62 airliner Wednesday and has spent the last two days in discussions with American officials about details for the Soviet Communist party leader's trip, scheduled for June 18 to 26.

The exact itinerary for Brezhnev's visit has not been set, but it is anticipated that about 90 percent of his time in this country will be spent in Washington or Camp David, Md.

[From the Washington Evening Star News, May 30, 1973]

CHINESE JOURNALISTS VISITING HERE

A group of 22 Chinese journalists including five women, begin a four day visit to Washington today—part of a return engagement with the American Society of Newspaper Editors, who sent a group to China last fall.

After spending the night in Williamsburg, the group came here for a range of engagements that includes a viewing open heart surgery at the National Institutes of Health, a visit to the pandas at the National Zoo; a view of agricultural procedures at the Beltsville agricultural research center; a supermarket; a trip along the partially completed D.C. subway; a State Department reception and lunch at the Capitol.

Since their arrival in New York, the group visited the United Nations, several news agencies, the Wall Street Journal, the New York Stock Exchange and had lunch at the Chase Manhattan Bank.

In Boston they visited MIT and Harvard, Massachusetts General Hospital and a typical New England farm.

They also made a short stop in Atlanta. From Washington they will go to Chicago, Denver, San Francisco and Honolulu.

The group is led by Chu Mu-chih, director of the Hsinhua News Agency. The two women are Wang Chen, deputy director of the Ministry of Foreign Affairs information office, and Li Po-ti, deputy editor of "China Reconstructs." Other journals represented in the group are the Peking Review, the People's Daily and Shanghai's Wen Hui Daily.

[Department of the Interior news release, May 26, 1973]

SOVIET SPECIALISTS IN CEMENT AND CONCRETE TECHNOLOGY TO VISIT UNITED STATES

Four Soviet specialists in the field of special cements and polymer concrete will arrive in the United States May 27 for a three-week tour of selected cement plants and Government research facilities. Secretary of the Interior Rogers C. B. Morton announced today.

The Soviet delegation will be headed by Roman T. Krivoborodov, Deputy Minister of Construction Materials Industry.

Commissioner of Reclamation Gilbert G. Stamm said the visit is part of a program of continuing cooperation and exchanges between the U.S. and U.S.S.R., and that the Bureau of Reclamation was designated to sponsor this visit because of its interests and activities in special cements and polymer concrete.

These exchanges are in keeping with the spirit of President Nixon's visit to the Soviet Union in 1972, and in accord with the U.S.-Soviet program on cooperation in science and technology. This type of exchange is provided for in the 1972-73 Agreement on Exchanges and Cooperation in Scientific, Technical, Educational, Cultural and Other Fields, signed April 11, 1972.

During their three-week stay, the Russian experts will visit the plants of the Lone Star Cement Company, Greencastle, Ind.; Dundee Cement Company, Clarksville, Mo.; Universal Atlas Cement Company, Hannibal, Mo.; Rocky Mountain Cement Company, Lyons, Colo.; General Portland Cement Company, Miami, Fla.; and Lehigh Portland Cement Company, Union Bridge, Md.

The team will also meet with Interior Department and Bureau of Reclamation officials in Washington; and will visit the Portland Cement Association facilities in Skokie, Ill.; the Bureau of Reclamation Engineering and Research Center in Denver, Colo.; the Corps of Engineer's Waterways Experiment Station, Vicksburg, Miss.; the Link Belt Company in Lakeland, Fla.; and the Brookhaven National Laboratories, Islip, N.Y.

In addition to Krivoborodov, the Russian

group will include Georgiy Yakovchik, Chief Engineer, Main Administration for Cement Machine Production; Igor Ponomarev, Chief Engineer, Southern State Institute for the Planning of Cement Plants and Yuriy Mevzorov, Junior Researcher, State Scientific Research Institute of the Ministry of Glass Construction Materials Industry.

Accompanying the delegation on the tour will be James T. Dikeon, Senior Research Scientist at Reclamation's Engineering and Research Center and Chairman of the American Concrete Institute's Committee on Polymer Concrete; and Alexis Tatistcheff, contract interpreter for the State Department.

It is presently anticipated that an exchange team of U.S. specialists in this field will visit the Soviet Union in July.

JOE MOLONY: JOB WELL DONE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DULSKI. Mr. Speaker, last Friday Joe Molony began a well-earned retirement with almost 40 productive years in the United Steel Workers. He has more to offer, and would continue to contribute his experience if it were not for the USW's mandatory retirement age.

While his active leadership will be missed, there is a great deal to be said for compulsory retirement. Congress has frequently heard suggestions of a mandatory retirement age for itself, as well as for other public employees, and it is a point meriting serious consideration and further action.

As Congressmen we have all been contacted by labor leaders urging lower voluntary retirement ages for their memberships. Yet these same leaders stay on year after year, often to an advanced age and with diminishing effectiveness on their jobs. There is no lack of young, capable leadership in the unions; I would suggest some of these senior citizens consider bowing out and permitting the younger ones to serve.

The United Steel Workers are to be commended for their retirement policy. I am sure that, with his background, knowledge, and active mind, Joe Molony will continue to give whatever counsel may be requested of him.

I am pleased to share with you an article from the June 2, 1973, Buffalo Evening News, written by a labor reporter who knew him well during Molony's years in Buffalo:

REFLECTIONS ON A LABOR REPORTER'S LABOR LEADER

(By Ed Kelly)

Joe Molony stepped out of the trade union movement Friday into retirement, and labor, management and community have all had their final glowing say on his departure.

This column today is our last say, the last say of a labor reporter who had the extraordinary good luck to have covered the "beat" on which Joe Molony made news while headquartered in Buffalo as state director of the United Steel Workers.

The litany of Molony accomplishments has been loud in the land these last two weeks.

Parades of speakers, here and in Pittsburgh, have recalled, recounted and reminisced about the 36-year career which took him, Alger-like, from the Republic mill ore dock on the Buffalo River to the executive

suite of the 1.4 million-member USW in its gleaming new international headquarters in the Golden Triangle of Pennsylvania's Steel City.

We don't intend re-reviewing the Molony biography or adding to what we wrote in this paper's news columns last week about what Molony did for his union and for the political, social and cultural lives of the two cities his presence enriched—Buffalo and Pittsburgh.

Instead, we want to devote this column to the Joe Molony few knew, but the Joe Molony we knew best.

This was Joe Molony the newsmaker, the Joe Molony who met the press in the name of the union.

He was with the USW from 1937 until yesterday when he had to step out of the union and out of its international vice presidency, a post he filled with dedication and distinction for the last eight years. He was 65 last November and the union constitution age-provision barred him from seeking re-election.

For 16 of Molony's years with the USW, from 1949 until he left here for Pittsburgh in 1965 to be sworn in as an international officer of the largest union in the AFL-CIO, it was our job to report the goings, comings, sayings and doings of this remarkable and talented man.

"Job" isn't really the word to describe what the task meant to us. "Pleasure" is more like it. "Fun" is better yet.

For Joe Molony was a joy to cover. He was a labor reporter's labor leader.

He was accessible. He was straightforward. He was informed. He never feared the truth. He didn't dodge or duck a question, even if answering it honestly pained him or his union.

If he didn't want to comment, Molony would say so. And he'd be man enough to get on the phone and tell you that personally, not have an intermediary do it. He never hid behind anyone.

He never ran away from a quote. If his words sparked bigger or more serious explosions or backlash than he'd bargained for, he'd stand up to the heat. He wouldn't claim he was misquoted, or misunderstood, or taken out of context. In fact, he'd usually go out of his way to make clear that the reporter had quoted him correctly.

Joe Molony, news source and spokesman for his union, had, in short, integrity.

He also invariably had something to say. What's more, it was usually well worth saying. And he always said it well. He was intelligent, knowledgeable, articulate, and his statements reflected all three.

Molony had another talent that warms the cynical old heart of any professional newspaperman: He spoke in quotable quotes.

He was a wordsmith. His adjectives were bright, his verbs strong. He could be ironic, humorous, lethal, rousing, all within the compass of a few paragraphs.

Written, they were worth reading. Spoken, in that golden brogue he never lost, they were worth hearing.

It was as if this ebullient and effervescent Irish-American, who immigrated here from County Clare a few weeks shy of his 21st birthday, had smuggled with him into his adopted country more than a small piece of that fabled stone that makes Blarney the most famous castle in all Ireland.

Labor leader, community benefactor, political chieftain, civil libertarian, self-made scholar, devoted husband and father. Joe Molony was all these, as those who knew him best in each facet has recently attested.

But in addition to all these, Joe Molony also was a newsmaker and a labor spokesman who interpreted the trade union movement to the public.

And he was superlatively both.

We should know. For 16 of Buffalo's Molony years, with ready pad and poised pencil, we were there.

JIM FARLEY: THE ART OF BENEFICENT POLITICS

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 31, 1973

Mr. BLATNIK. Mr. Speaker, I join my colleagues in paying highest tribute to James A. Farley, who celebrated his 85th birthday.

Jim holds the unchallenged title of America's foremost politician. More, he is the master of the art of politics.

And today, when the ugly pall of Watergate has clouded the entire political process, we need to remember that people of Jim Farley's caliber have been proud to serve their country with distinction through the avenue of politics.

This giant of our century is living proof that most Americans in high office have used their office and political talents for the good of the Nation and all its citizens.

With each shocking new Watergate revelation, we remember Jim Farley as a man who put honor and honesty above all other claims to his loyalty; who could always stare unblinking into the light of public scrutiny from the very center of the political arena.

Unlike the men who until recently surrounded this President, Jim has an innate respect for the institutions which stand guardian over the rights of free men. He recognized the legitimacy of opposing interests, and, rather than suppress, he used his power and skills to reconcile them.

It is this supreme skill which earned for Jim the title, "Master of Politics"; and the purposes to which he put it, the honor of being called "Public Servant."

For, above all, he accepted his many positions of political responsibility as a mandate to serve America and the American people—not a single person or interest. He played a far larger role than he or we will ever acknowledge in changing the course of our Nation at a time when change alone could have held the country together. His handwriting is evident on every claim America has to leadership in the field of human rights.

Today, America's commitment to its least fortunate is being abrogated by a swarm of little men who, in the depths of the executive branch, gnaw in secret at the legislative edifices they cannot bring down by consent of the American people. We in Congress must redouble our efforts to prevent the dismantling of the programs which are the heritage of the New Deal and Jim Farley's tremendous vision and compassion.

We must also blot out the mark of Watergate, by coming forth not just with new faces but with better leaders, and prove to the American people that this Nation still has a large reservoir of honest, honorable public servants.

We need look no farther than Jim Farley to find the pattern against which to measure the leadership the Nation needs as never before, to renew America's faith in politicians as public servants.

Mr. Speaker, I join a grateful Nation in wishing Jim Farley many happy returns on his 85th birthday, and many, many

years of continued good health and happiness ahead.

REORGANIZATION PLAN NO. 2 OF 1973

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. KEMP. Mr. Speaker, I am gratified with the decision of the House yesterday to vote in favor of the Reorganization Plan No. 2 of 1973; that is, to reject House Resolution 382 to disprove plan No. 2 of 1973.

It is impossible to overstate the magnitude of the drug problem in America.

With this awareness, it is critically necessary to establish the most effective enforcement agency to combat the trafficking of dangerous drugs and narcotics not only in our country, but in the most effective manner with other nations.

Generally, adoption of the plan will initiate the consolidation of what was a network of three separate organizations—the Office of Drug Abuse and Law Enforcement, the Bureau of Narcotics and Dangerous Drugs, the Office of National Narcotic Intelligence, the Bureau of Customs—which encountered serious operational and organizational difficulties and jurisdictional conflicts. As a response to those shortcomings, one program, the Drug Enforcement Administration, will be formed to administer the sources—manpower, knowledge, and finances—which were once implemented individually by three organizations. Thus, “unified command” would be formed and a more viable attack organized with more complete and cumulative drug law enforcement intelligence.

More particularly, this agency will have those powers requisite to effectively combat drug abuse: First, the development of overall Federal drug law enforcement strategy programs, planning and evaluation; second, the full investigation and preparation for prosecution of suspects for violation under Federal drug trafficking laws; third, the full investigative and preparation for prosecution of suspects connected with illicit drugs seized at U.S. ports-of-entry and international borders; fourth, the conduct of all relations with drug law enforcement officials of foreign governments, under the policy guidance of the Cabinet Committee on International Narcotics Control; fifth, the full coordination and cooperation with State and local law enforcement officials on joint drug enforcement efforts; and sixth, the regulation of legal manufacture of drugs and other controlled substance under Federal regulations.

Several criticisms were directed toward plan No. 2, and I would like to address myself to those areas of misunderstanding. First, it has been said by opposition to the plan, that there has been an insufficient guarantee of separation of the investigative and prosecuting functions that furthers “a peril-

ous movement toward a national police force with political direction.” The misunderstanding which causes this first problem may be clarified along several lines: First, the possibility for arbitrary and capricious conduct by either the appointed administrator or deputy administrator is limited from the outset, as the Senate confirmation of those individuals selected is a prerequisite; and, I am certain I am not alone in expressing my complete confidence in the Senate’s abilities to confirm only a most qualified person to each position; second, there lies another guard against any abuse of authority in that the Department of the Treasury remains the guardian of the agency’s finances; also, it retains the authority over searches and seizures at ports of entry; and, third, still another guard which is not expressed in the plan, but is similarly as important as those that are; that is, the conduct of this new agency is constantly guarded and supervised by the courts to the extent that abuse of discretion will result in a failure or inability to convict.

Second, there has been misunderstanding concerning possible damage to the ability of the Immigration and Naturalization Service to enforce the Immigration and Nationality Acts. It was contended by labor that the transfer of approximately 900 immigration inspectors would severely reduce the capacity of the Service to protect our labor forces from illegal aliens. The administration accepted this advice and agreed not to implement section 2 of the plan realizing the importance of maintaining a fully staffed organization. In response to the administration’s reevaluation, labor acknowledged the importance of the war against drug abuse and offered its support of plan 2.

Third, there has been a misunderstanding concerning the plan’s failure to address itself to addict treatment. This was not an oversight, as 2 years ago the President established the Special Action Office for Drug Abuse Prevention, an organization which was provided with the necessary resources, breadth and leadership capacity—including treatment and rehabilitation for those who have been drug victims, and preventive programs for potential drug abusers.

Fourth, it has been contended that the custom service will “lose” personnel and equipment resulting in a diminution of the effectiveness of the custom service’s fight against drugs. However, the transfer involved is that concerning criminal investigators specifically delegated to narcotics. Those not involved with this body, the inspection branch of the custom service, will remain at their present position. Thus, the personnel “lost” will be actually transferred under the reorganization plan to the Drug Enforcement Administration and retains the same purpose of purging the society of narcotics.

In conclusion, I would like to reemphasize the responsibility this country has to protect its people, as well as people of all countries, from the dangers of drugs. The problem of drug abuse is massive and pervasive as it effects all age groups—teenagers, college students,

young adults, and middle-aged, both sexes, and all those along the social spectrum—the wealthy, the middle class, and the poverty stricken. This plan provides the opportunity for further progression toward the goal of severely reducing through viable channels the de-meaning consequences of drug usage.

FUEL SHORTAGE

HON. IKE F. ANDREWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. ANDREWS of North Carolina. Mr. Speaker, in order to lend greater emphasis to the seriousness of the effects of the current fuel shortage on agriculture in North Carolina and many other States, I would like to reiterate and expand on remarks I made before this body on Wednesday.

I urge that farmers be accorded top priority in the allocation of gasoline and fuel oil.

Agriculture is a most basic and necessary industry. Because it affects practically every facet of our economy, the result of reducing fuel supplies to farmers and farm-related businesses may well be economic catastrophe.

In the four counties of North Carolina’s Fourth Congressional District—Chatham, Durham, Randolph, and Wake—some oil dealers are not assured of any petroleum products in June, and the quotas of others have been drastically reduced. I understand that none of them has any assurance of any fuel during July and August.

While at home last weekend, I learned of several farmers and farm suppliers whose quotas for gasoline and fuel oil for June is only 80 percent of what they used a year ago. These percentages may be cut considerably more for July and August.

Proposed quotas based on usage during the first quarter of this calendar year are ridiculous in many instances. In my own State of North Carolina, for example, tobacco farmers have relatively little need for petroleum products in January, February, and March. But during the current 3-month cycle, the need is especially critical for kerosene and fuel oil to cure fire-cured tobacco, and for gasoline to haul it to the warehouse.

During the curing season, fuel is absolutely essential to tobacco, which I believe is the largest farm export in the United States.

Equally grave is the threat to our broiler industry, including the hatcheries, feed suppliers, producers, processors, retailers, and ultimately the consumers.

A drastic cutback in fuel supplies simply means the hatcheries will not be able to place as many baby chicks as they have in the past. The feed suppliers are fearful of placing the usual number of chicks because they may not be able to haul enough feed to them, especially to those farms some distance away.

Most poultry is now grown on a con-

tract basis, with the companies placing baby chicks, feed and medication throughout various counties. Large amounts of gasoline are needed to haul the chicks, feed, and medication to the farms and then the fully grown broilers to the processing plants.

With less gasoline, farmers will be able to raise fewer broilers to be processed, and the consumers will be forced to pay higher prices.

The chain effect can occur, not only with broilers, but also with livestock and other commodities where fuel is needed to cultivate, harvest, process, and transport.

Agriculture's priority in the allocation of gasoline should be second only to health care and public safety.

OUR NATION SALUTES THE BOROUGH OF HAWTHORNE, N.J., ON ITS DIAMOND JUBILEE CELEBRATING ITS 75TH ANNIVERSARY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. ROE. Mr. Speaker, on the 24th day of March 1898, by act of the Legislature of the State of New Jersey, pursuant to the laws of 1898, chapter 105, the Borough of Hawthorne was established as a municipal corporation of the county of Passaic in the State of New Jersey.

It is, indeed, my privilege and honor to call this most historic event in America's democracy to the attention of you and our colleagues here in the Congress with a special salute to the Honorable Louis Bay II, the distinguished mayor of Hawthorne, and to the Honorable Raymond L. Rhodes, general chairman of the Municipal Anniversary Committee, in observing and commemorating the 75th anniversary of this most historic outstanding all-American community in the Eighth Congressional District of the State of New Jersey, which is my singular great honor to represent here in the Congress.

Mr. Speaker, I wish all of our colleagues would have the opportunity to visit Hawthorne during the borough's 75th anniversary celebration. The governing officials and our citizens are proud indeed—as we all are—of the product of man's achievements in the face of the many hardships, tribulations, and trials that have been encountered, but overcome by the residents of this municipality since 1898. As the cornerstone of our democracy, working together, they have established the highest standards of the quality of life in our Nation with full recognition and dedication to the vital import of the individual citizen in our society.

The story of Hawthorne is the story of America. Since its organization as a government of the people, for the people, and by the people, it has, indeed, flourished. As an area encompassed within the first colonies and the Original Thirteen States of the United States of

America, it is steeped in history and the pioneering American spirit.

Born in 1898 at the time of the Spanish-American War, Hawthorne was a virtual territory of farmlands with a population of some 700 people. Three-quarters of a century later it now is a thriving suburban municipality with a population nudging the 20,000 mark.

The geographic designations of some of the sections of the Borough of Hawthorne contained in our history books are highly descriptive of the town's early beginnings. They bespeak the origin of the aborigines: The Lenni Lenape Tribe of Indians or Delaware as the Englishmen called them—who occupied this territory long before the signing of the Independence of America and the "Spirit of '76." This historic breakdown of Hawthorne which follows will be helpful in recalling periods in history that are familiar to all of us:

HISTORIC BREAKDOWN

Wagaraw—The name applied to the land adjacent to the Passaic River and extending north to approximately Diamond Bridge Avenue and from the top of the mountain to and including part of Fair Lawn on the east. The name is mentioned in all of the early deeds and is given to what is now Goffle Hill and Goffle Brook. Wagaraw: "where the river bends."

Goffle—In the Dutch language means a fork and the name alludes to the place where the Deep Brook joins the Goffle Brook forming a fork. This spot was a well-known Indian encampment and is frequently mentioned in early deeds.

Van Winkles—The name of the owners of the large farm established in the 1700's at the north end of town. It centered about Van Winkle Avenue.

The Flats—All that portion of the Borough along Lafayette Avenue and adjacent farm land. Frequently referred to in the 1888's.

The Woods—The general area extending along Diamond Bridge Avenue from Forest Avenue to Lincoln Avenue and northerly to Central Avenue. This part of the town was a good sized-forest with many century old oak, elm, maple and chestnut trees, some of which still stand. The place was also filled with small game, rabbits, squirrels, birds and an occasional deer.

Ashley Heights—The southwestern part of the borough lying on the slope of Goffle Hill. It derived its name from the Ashley and Bailey Company's Hawthorne silk mill which was built in 1894 at Mohawk Avenue and North Eighth Street. Numerous homes were erected at this time in the vicinity and continued in later years toward the top of Goffle Hill.

Columbia Heights—So named because the World's Fair Columbian Exposition in Chicago was being held at the time of the development on Lincoln Avenue during 1893-1894 by William H. Moffitt. The area includes the property east of the Erie Railroad tracks from Wagaraw Road to the Diamond Bridge.

The Ravine—A beautiful gorge cut through the rock by the Deep Brook, extending parallel with Goffle Hill Road in the rear of Thomas Jefferson School.

The Triangle—The plot of ground between the Erie and the Susquehanna railroads on Washington Avenue.

North Paterson—The general area north of Warburton Avenue and including the Van Winkle farm which it succeeded.

Norwood—The name of the first railroad station and post office created in 1867. Changed to Hawthorne in the following year.

Morrow's Mills—The locality near Goffle Brook and Wagaraw Road where John Mor-

row as early as 1810 leased property from the DeGray's (Mill Owners).

The program for the celebration of Hawthorne's 75th anniversary is under the auspices of the following distinguished community leaders and highly reputable citizens of Hawthorne:

LIST OF COMMITTEE MEMBERS

General Chairman: Raymond L. Rhodes.
Vice Chairman: Isabel C. Hopper.
Secretary: Jean L. Hughes.

THE COMMITTEE

Honorary chairmen

Honorable Louis Bay, 2nd, Mayor.
Honorable Arthur A. Brokaw, Commissioner.

Honorable Harold S. Floyd, Commissioner.

Coordinators

Superintendent of Schools: Dr. John Ingemi.

Fire Chief: James Aldi, Jr.

Chief of Fire Prevention Bureau: Louis J. Bay, Jr.

Police Chief: Charles F. Kenyon, Jr.

Treasurer: Louis M. Colacurci.

Photographer: John Crivelli.

Editor and Historian: Jacob Schaad, Jr.

In a recent discussion with General Chairman Raymond L. Rhodes, former Comptroller of Customs, I was especially impressed with the background information he provided me on the municipal flag of the Borough of Hawthorne which was adopted by the borough commissioners in 1948, 50 years after the establishment of Hawthorne as a municipal corporation. Of even greater significance is the fact that the flag was designed by a Hawthorne high school student, John DeBruyle, who at his young age had the keen insight and warmth of understanding of our people, their needs, ambitions, pursuits, and achievements—people who not only placed Hawthorne on the map of the United States of America but manifested the backbone and foundation of an outstanding American community from infancy to maturity.

Mr. Speaker, I would like to include at this point a brief narrative on the heart-beat and pulse of Hawthorne's standard and the significance of the symbols that appear on their flag to depict the growth and development of the borough as delineated by this young American youth, as follows:

A BRIEF NARRATIVE

The entire background is white, representing the unity and purity of the many citizens; the shield appearing in the center of the standard denotes the important things which have helped the Borough of Hawthorne to grow and prosper. The shield is encircled by a wreath which, together with the shield, constitutes the municipal seal. The books indicate progress in education while the gears represent the years of progress in the industrial development of the borough. The cross and bible demonstrate the respective religions in the town and sincerity in tolerance and peace.

The plow typifies the farming land from which Hawthorne grew and the pick and shovel stand for the years of hard work in building the municipality. The lantern symbolizes the light of truth, faith, patience, and understanding with which Hawthorne has been blessed. The two stars represent the fifty years of Hawthorne's progress at the time of the adoption of the flag, from the founding of the borough in 1898.

The red displays the courage of those citizens and the blood of those veterans who

made the supreme sacrifice in giving their lives that this peaceable community may travel on the road of perpetuity, while the blue evinces the loyalty of all its citizens to the Borough of Hawthorne.

Mr. Speaker, there are many historic deeds and accomplishments that could be recited here and many that our history books do not make mention of—but we are all agreed that all of the people, working together with dedicated, unselfish purpose over these past 75 years have nourished, cultured, and sustained the Borough of Hawthorne and its government to bring progress and prosperity to the quality of our life here in America.

The Mayor and members of the municipal governing body have, through exemplary and commendable action programs, been promoting and providing essential public services in the pursuit of the health, happiness, safety, and well-being of all of its citizens. America's preeminence among all nations of the world relies in large measure upon our elected representatives at all levels of government who are called upon by the people to translate into meaningful direction and purpose the goals and objectives we seek for ourselves and future generations to enjoy.

The first appointed representatives of the people on Hawthorne Borough's governing body who had worked untiringly toward the founding of the borough and provided the foundation of Hawthorne's government of the people, for the people, and by the people are as follows:

LIST OF HONORABLES

Dr. Sylvester Utter, Mayor.
Adam Vreeland, Assessor.
William H. Post, Collector.
Albert Rhodes, Councilman.
Frank Post, Councilman.
Daniel Van Blarcom, Councilman.
Martin Marsh, Councilman.
John V. B. Terhune, Councilman.
Arthur F. J. Wheatley, Councilman.
Charles B. Story, Borough Clerk.
William Nelson, Borough Attorney.
William DeGray, Commissioner of Tax Appeals.
Peter Stam, Commissioner of Tax Appeals.

Mr. Speaker. I ask you and our colleagues to join with me in memoriam, expressing our Nation's appreciation, to these first governing officials of Hawthorne as well as all of those who have unstintingly and gloriously served the people in the succeeding administrations of this great American community's government. May I especially commend to you with a hearty tribute to their good works the present public officials who now administer the affairs of Hawthorne:

LIST OF THOSE PRESENT

The Honorables:
Louis Bay, 2nd, Mayor.
Arthur A. Brokaw, Commissioner.
Harold S. Floyd, Commissioner.
James A. Kirkman, Borough Clerk.
Robert P. Schilling, Borough Engineer.
Floyd V. Amoresano, Borough Attorney.
Christina Collins, Tax Assessor.
Albert J. Crawley, Tax Collector.

Mr. Speaker, with the greatest admiration and deepest respect, I also commend to you all of the good people of the Borough of Hawthorne. I know you will want to join with me in appreciation for all of their good works, extending

the heartiest congratulations of the Congress and best wishes to them during this observance of their 75th anniversary and diamond jubilee celebration. We do, indeed, salute the Borough of Hawthorne and all of their citizens in commemoration of their birth as an outstanding municipality of our State of New Jersey and the United States of America.

PEACE IN YOUR WORLD

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DORN. Mr. Speaker, it is refreshing to see the enthusiasm, the ideals and character of young America. It was a great honor for me to address the graduating class of Oakway High School in Oconee County, S.C. on May 25. Richey Davis delivered the valedictory address, which was outstanding. I commend this splendid speech to the attention of my colleagues in the Congress and to the American people:

PEACE IN YOUR WORLD

Can you imagine a world where men live in peace? Is it possible for a society to exist here on Earth where men can work and strive together in harmony and not conflict? Most importantly, is it possible, here on Earth, for man to be at peace with himself?

Peace. That is a very frequently used word. It is also a very abused word because for many people the word "peace" has little or no meaning. These people are so caught up in the strife and confusion of their world, that they have never experienced true peace.

Our happiness, our peace in life, depends largely on how we treat our fellow human beings, our brothers and our sisters. St. Francis of Assisi wrote this prayer for peace:

"O Lord, make us instruments of thy peace. Where there is hatred, let us sow love; where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy."

If we neglect these simple but important truths expressed in this prayer, we may not have a second chance. The whole world may not have a second chance.

It is very easy to blame all of the troubles in the world on the older generation. It is true that the entire population of this planet, over 4 billion people, could be utterly destroyed in an all-out war. The population of the world is skyrocketing. Millions of people right now face death from starvation or disease; something which we here in America rarely see. It is true that enormous amounts of pollution are throwing the natural cycles of nature all out of balance. But before we start to condemn the older generation, let's count up both sides of the score card. There is a modern-day fable about an ordinary, average man named Ben Adam, and a very special Angel who visited him one night. . . .

Ben Adam was a man who like most members of The Older Generation, had little hair and overwhelming guilt feelings. He had a son named Irwin. Like most members of the younger generation, Irwin had lots of hair and an overwhelming contempt for anyone over 30.

"Man, what a mess your generation made of things," Irwin was fond of saying. "Because of your mumbering, we face a society that is racist, militaristic, polluted, overpopulated, and terrorized by the hydrogen bomb. Thanks a lot!"

"I guess we are about the worst generation that ever lived," Ben Adam would say guiltily. "I'm sorry Irwin." And Irwin would shrug and go off with his friends and smoke pot.

Ben Adams couldn't help feeling that he was in for a bit of divine wrath in return for his sins. He was therefore somewhat shaken on awakening one night to find an Angel at the foot of his bed writing in a Golden Book.

"I have come, Ben Adam, to grant you one wish," said the Angel.

"Me?" asked Ben Adam with surprise. "Why me?"

"You have been selected by the Heavenly Computer as typical of your generation," said the Angel. "And your generation is to be rewarded for its magnificence."

"There must be some mistake," said Ben Adam with a frown. "We've created a racist society. . . ."

"But mankind has always been racist," interrupted the Angel. "You were the first to admit it and attempt a remedy."

"But we militarized our democracy," said Ben Adam. "Why, when I was a boy, we had an army of only 134,000 men."

"You built an army of over four million men in hopes of bringing freedom and democracy to all the world," said the Angel. "Truly a noble goal."

"Well, maybe," said Ben Adam. "But you can't deny that we polluted the water and air and scattered garbage far and wide."

"That is so," said the Angel. "But the environment is polluted solely because you constructed the most affluent society the world has ever seen!"

"I guess that's right," said Ben Adam. "Yet look at the population explosion. Famine and pestilence threaten mankind."

"Only because your generation cured diseases, increased the food supply and thereby lengthened man's life span," said the Angel. "A tremendous achievement."

"But we live in terror of the hydrogen bomb," said Ben Adam gloomily. "What a legacy!"

"Only because your generation unlocked the secrets of the atom in its search for wisdom," said the Angel. "What a glorious triumph."

"You really think so?" said Ben Adam, sitting straighter and smiling tentatively.

"Yes," said the Angel, reading from the Golden Book. "Your motives were excellent, your goals ideal, your energies boundless, and your achievements tremendous. In the eons of mankind, the names of your generation lead all the rest. And therefore, Ben Adam, by the authority vested in me, I grant you one wish. What shall it be?"

"I wish," sighed Ben Adam, the heavenly chosen representative of the older generation, "I wish that you would have a little talk with Irwin."

This story tends to put the seemingly unsolvable problems of the world back into proper perspective.

As the salutarian pointed out, it is a beautiful world. It is a wonderful world. Especially here in the United States of America. Maybe it is because America is one of the few nations dedicated to the ideal that peace, among men and among nations, is the only real way to exist. In closing, I would like to read to you a poem which I believe reflects the peace and serenity which this nation, our beloved land, possesses amid all of the turmoil and strife of this world. The poem is entitled, "Prayer by the Statue of Liberty":

Lord God of low tides and high hopes who has brought millions to our shores grant that each of them shall find the freedom he sailed for in this land which honors all who honor it.

Lord God of willing hands and Opportunity, of past failures, present mistakes, and future successes, who has brought man from wagon train to space capsule and filled this

great country, imperfect though it may be called by some, give equal dignity to all and send word back to Thomas Jefferson that we do try to fulfill the promises he filed under the Declaration of Independence.

Lord God of foreign ancestors and home-grown Americans who taught strangers to live together do as much now for friends, remind fiery young hearts that passion works best when tempered with reason and that nothing was ever built up and torn down at the same time.

Lord God of broken promises and hungry hearts reminds us constantly the land we call home wasn't built in a day, hear with our failures, forgive us our trespasses. As you once trained lightning and fireflies to live together, teach us now that good intentions are a beginning, not an end, that doing is still better than hoping and wishing, that today holds the cure of yesterday and the torch I hold high is Liberty's nightlight welcoming tomorrow with a rainbow of freedom rising from the thunder of despair.

PROMPT ADMINISTRATIVE ACTION TO CONTROL INFLATION IS IM- PERATIVE

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DONOHUE. Mr. Speaker, last April, on the eve of near unanimous congressional approval of a 1-year extension of the Economic Stabilization Act, I expressed my very deep concern that greater and greater numbers of our American citizens and families were increasingly being priced out of the marketplace, out of their living quarters and out of the basic nutritional necessities of life as a direct result of the unconscionable cost increases and raging inflation which had unfortunately fallen upon them ever since the White House terminated, last January 11, the reasonably effective mandatory restrictions of phase II. Even back then, it was abundantly clear that the administration's institution of the so-called "voluntary" phase III system was resulting in the visitation of very severe economic repercussions upon our society in general and certain sections of it in particular. The economic circumstances that prompted us to express such deep fears at that time have unfortunately become increasingly worse, almost daily.

Indeed and unhappily, rising inflation is spreading throughout our whole economy with an accelerated speed and force that was entirely unexpected by even the most pessimistic prophets.

Mr. Speaker, the figures just released by the executive department itself about the frightening increase in wholesale prices, the wholesale price index and other statistics vividly reveal that inflationary pressures have reached a critical stage and some respected economists do not hesitate to describe this present situation as "a national emergency." It is obvious to every housewife and market shopper that food prices have practically gone "into orbit." The evidence shows

that the wholesale prices of farm products have risen at an annual rate of 47 percent over the past 6 months, particularly in the feed grains, and some economic authorities say they are undoubtedly being fed by unbridled speculation.

In the face of this urgency, Mr. Speaker, a great many respected economists are urging the administration to promptly initiate a "short freeze" on prices, and other inflationary factors, until an overall comprehensive, sensible system of temporary controls can be developed and imposed. History overwhelmingly indicates that Executive action in a critical economic situation is the most effective way to restrain and contain the presently raging inflationary fevers that are so dangerously threatening to undermine our domestic economic stability and our national prestige throughout the world.

Mr. Speaker, despite our common aversion to any controls under normal circumstances I submit and emphasize that our presently deteriorated economic situation is far indeed from being ordinary or normal. The fact and the truth is that we are right now experiencing the most abnormal economic distress in modern history and such a situation clearly requires extraordinary attention and action if we intend or hope to regain our economic integrity and remove the practically intolerable financial hardships which are plaguing those in our society who can bear them the least, the poor, the aged, the handicapped and the low, moderate, and middle income workers and their families.

Mr. Speaker, in the light of the administration's pledged goal, sometime ago, of reducing the inflationary rate at the consumers level to 2.5 percent by the end of 1973, there should be no reluctance on the part of the administration to take immediate, pertinent action in this matter because otherwise that vaunted pledge will be impossible of any achievement.

I again, Mr. Speaker, therefore urge the President to move very speedily and

effectively to restrain this currently rising inflation that represents such a great and grave peril to the endurance of this Nation and I urge the Congress to fully evidence our common desire to co-operatively act with him, not without him, to initiate whatever measures are required for whatever time it may take to return our collapsing economic system to its traditional operating realm of right reason and just standards. It is only by such compromising and cooperative action that we can truly hope to restore the confidence of the American people in the ability of the executive and legislative branches of this Government to work together, in this critical hour, in service to the common good and in accord with our separate duty and responsibility.

FEDERAL CIVILIAN EMPLOYMENT, APRIL 1973

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. MAHON. Mr. Speaker, I include a release highlighting the April 1973 personnel report of the Joint Committee on Reduction of Federal Expenditures:

FEDERAL CIVILIAN PERSONNEL, APRIL 1973

Total civilian employment in the Executive, Legislative and Judicial Branches of the Federal Government in April 1973 was 2,808,147 as compared with 2,800,135 in the preceding month of March—a net increase of 8,012. These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Federal Expenditures.

Total pay for March 1973, the latest month for which actual expenditures are available, was \$2,893,892,000. Total pay for fiscal year 1973 is forecast to be in excess of \$33 billion.

EXECUTIVE BRANCH

Civilian employment in the Executive Branch in April is compared with the preceding month of March, with April a year ago and with April five years ago, as follows:

	Full-time in permanent positions	Change	Temporary, part-time etc.	Change	Total employment	Change
Current change:						
March 1973	2,430,968		326,868		2,757,836	
April 1973	2,431,856	+888	333,603	+6,735	2,765,459	+7,623
12-month change:						
April 1972	2,533,275		297,057		2,830,332	
April 1973	2,431,856	-101,419	333,603	+36,546	2,765,459	-64,873
5-year change:						
April 1968	2,612,593		319,989		2,932,582	
April 1973	2,431,856	-180,737	333,603	+13,614	2,765,459	-167,123

Full-time permanent employment in the month of April was increased by 888. The largest increases were in Postal Service with 1,845, Treasury with 1,089 and HEW with 905 and the largest decrease was in Defense with 2,177. Since April a year ago such employment showed a net reduction of 101,419 mainly in Defense with 67,806 and Postal Service with 48,554. Major increases during the year were in Veterans with 7,614, HEW with 6,123 and Treasury with 2,703. In the 5 years since April 1968 full-time permanent employment has dropped 180,737 mainly in Defense with 234,596 offset by a net increase of 53,859 in all other agencies.

TOTAL EMPLOYMENT

Total civilian employment in the Executive Branch in April, as compared with March, is shown for civilian and military agencies, as follows:

	April	March	Change
Civilian agencies	1,706,530	1,698,904	+7,626
Military agencies	1,058,929	1,058,932	-3
Total, civilian employment	2,765,459	2,757,836	+7,623

The civilian agencies of the Executive Branch reporting the largest increases in April were Agriculture with 3,863, Veterans with 1,528, Interior with 1,311 and HEW with 1,320 (due to the conversion of certain public assistance grant programs, previously operated by the states, to direct federal administration).

LEGISLATIVE AND JUDICIAL BRANCHES

Employment in the Legislative Branch in April totaled 33,896, an increase of 358 as compared with the preceding month of

March. Employment in the Judicial Branch in April totaled 8,792, an increase of 31 as compared with March.

UNIFORMED MILITARY PERSONNEL

A new historical table in the accompanying report shows uniformed military personnel in the Department of Defense has decreased 1,012,136 in the 19 years since 1954, while civilian employment has decreased 150,041 over the same period.

In the Department of Defense annual military personnel costs are now running at

about \$22 billion and civilian pay costs at about \$12 billion—both more than doubled since 1954.

In addition, Mr. Speaker, I would like to include a tabulation, excerpted from the joint committee report, on personnel employed full-time in permanent positions by executive branch agencies during April 1973, showing comparisons with June 1971, June 1972, and the budget estimates for June 1973:

FULL-TIME PERMANENT EMPLOYMENT

Major agencies	June 1971	June 1972	April 1973	Estimated June 30, 1973 ¹	Major agencies	June 1971	June 1972	April 1973	Estimated June 30, 1973 ¹
Agriculture.....	84,252	82,511	82,162	83,400	General Services Administration.....	38,076	36,002	35,725	38,100
Commerce.....	28,435	28,412	28,246	28,200	National Aeronautics and Space Administration.....	29,478	27,428	26,951	26,800
Defense:					Panama Canal.....	13,967	13,777	13,661	14,000
Civil functions.....	30,063	30,585	30,029	32,400	Selective Service System.....	5,569	5,791	5,197	5,700
Military functions.....	1,062,741	1,009,548	974,143	980,000	Small Business Administration.....	4,004	3,915	4,071	4,200
Health, Education, and Welfare.....	104,283	105,764	112,679	110,200	Tennessee Valley Authority.....	13,612	14,001	13,956	14,000
Housing and Urban Development.....	16,030	15,200	16,117	15,800	U.S. Information Agency.....	9,773	9,255	9,188	9,400
Interior.....	57,570	56,892	56,452	57,000	Veterans Administration.....	158,635	163,179	168,590	171,600
Justice.....	42,662	45,446	45,519	47,200	All other agencies.....	31,333	33,499	33,793	35,800
Labor.....	11,352	12,339	12,265	12,800	Contingencies.....				2,000
State.....	23,398	22,699	22,524	23,200	Subtotal.....	1,955,530	1,910,854	1,887,015	1,915,200
Agency for International Development.....	13,477	11,719	10,590	10,800	U.S. Postal Service.....	564,782	594,834	544,841	569,500
Transportation.....	68,482	67,232	65,724	67,700	Total ²	2,520,312	2,505,688	2,431,856	2,484,700
Treasury.....	50,135	95,728	98,364	103,000					
Atomic Energy Commission.....	6,920	6,836	7,050	7,000					
Civil Service Commission.....	5,324	5,260	5,813	6,000					
Environmental Protection Agency.....	5,959	7,835	8,206	8,900					

¹ Included in total employment shown on table 1, beginning on p. 3.

² Source: As projected in 1974 budget document; figures rounded to nearest hundred.

³ Excludes increase of 5,000 for civilianization program.

⁴ Excludes increase of approximately 9,000 in adult welfare categories to be transferred to the Federal Government under Public Law 92-603. Actual employment reported for the two latest

months includes such transferred personnel as follows: approximately 3,000 in March and 4,000 in April.

⁵ April figure excludes 2,601 disadvantaged persons in public service careers programs as compared with 2,610 in March.

CROSS-FLORIDA BARGE CANAL

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. BENNETT. Mr. Speaker, someone brought to my attention that in the May 29, 1973, edition of the CONGRESSIONAL RECORD there is an extension of remarks by Congressman BAFALIS about the Cross-Florida Barge Canal. I would like to make a few remarks about what was said there.

At the outset I would like to emphasize that what I and a number of other Members of Congress are trying to do at this point is to release the impoundment of \$150,000 which Congress appropriated last year for an ecological study of the Cross-Florida Barge Canal. No adverse ecological study has ever been done by the Government and before the project is killed that should certainly be the case. That is the issue before Congress at this time. Congress is seeking a study whereby both sides can be heard on the merits, on the basis of scientific truth. Congressman BAFALIS has attempted to eliminate this issue by repealing the authorization of the canal without any ecological study being made to Congress adversely upon the canal. The project is not in his district.

At the beginning of Mr. BAFALIS' argument, he quoted from a memorandum from Russell Train, Chairman of the Council on Environmental Quality, to Mr. Whitaker, the President's adviser on environmental matters. Supposedly, this document led to the President's decision to halt work on the canal and the uncon-

stitutional impoundment of funds for this project. The full text of the memorandum can be found on page E1686 of the March 10, 1971, CONGRESSIONAL RECORD in the Extensions of Remarks by Mr. Young of Florida.

This document, which was put into the CONGRESSIONAL RECORD by Congressman Young of Florida, clearly shows that it is a highly motivated political document, which was never intended to be made public. In fact, at one time, I personally asked for the document and was not given the document. I assumed that this was because they realized how political the document was. Here is what the last part of the memorandum says:

I believe there are probably more political advantage than disadvantages in stopping the project, compared to a partial realignment. I have been told that if the project were voted on as a referendum by the people of Florida, it would be defeated. Essentially, only a small minority of people in the Tampa and Jacksonville areas have a real interest in it. As you know, Governor Kirk backed away from the project in the last election and the Governor-elect opposed it. Although this certainly is not a detailed analysis of the political situation, I conclude that the benefits nationally of dropping the project would greatly outweigh the benefits of continuing it. I further believe that a bypass over only 20 miles of the project would be considered "tokenism" by conservationists and many others.

Because of these reasons, I believe that termination of the project would bring maximum political benefits, would prevent potentially significant environmental problems and would save a great deal of Federal money for a marginal project.

Attached is a draft Presidential statement on cessation of the project. (1)

RUSSELL E. TRAIN,
Chairman.

When the President made his halt order by a press release on January 19, 1971, I immediately asked for the opportunity to talk to the Council on Environmental Quality, since they were the ones that made the recommendation to the President. In the meetings which transpired in May of 1971, I was told in an open meeting there that the Council on Environmental Quality had never made an ecological study of the canal at all. They based their memorandum to Mr. Whitaker primarily upon publications in the Florida Times-Union, which is a newspaper owned by railroads which have traditionally always opposed the canal. Since they never made a study themselves, the Council on Environmental Quality certainly cannot be used as a basis for an objective scientific authority on the ecology of the canal.

From the memorandum and from discussions with CEQ officials, it is clear that President Nixon's January 19, 1971, announcement to halt work on the partially completed canal was politically motivated and not based on sound factual advice from environmentalists, something which even today is still badly needed.

Eventually, there were reports on the canal from the Corps of Engineers, environmental groups and others. The report by the Council on Environmental Quality apparently resulted from no new research and study but parroted back what had already been said. Moreover, it was not a request to Congress to repeal the authorization and to cut off funds, but assumed incorrectly, constitutional authority to halt the project without further action by Congress. In his extension,

Congressman BAFALIS quotes the U.S. Geological Survey as warning of:

Potential aquifer contamination and pollution of canal waters which could affect estuarine waters and their estuaries.

Yet this same organization, in the basic study made by them in this matter reported:

The geohydrologic investigation of the Cross-Florida Barge Canal area reveals that the design of the canal and the plan of operation are consonant with the hydrologic regime. Thus canal operations should not seriously affect the regimen of the economically and ecologically important large springs—the water level, rate of flow, and the quality of water at Rainbow Springs, for example. Further, if Summit Pool lockage losses are essentially replaced and operating precautions are taken against pollution of Summit Pool waters there should be no noticeable adverse effects on the water level, rate of flow, and quality of water of Silver Springs.

Mr. BAFALIS also pointed out that a volunteer group of environmentalists once said the Cross-Florida Barge Canal is a "classic example of the reckless degradation of the natural environment." This group had no governmental sanction. There are environmentalists on both sides of this issue. Many of them support the canal wholeheartedly. One is John H. Davis, an ecology consultant from Gainesville, Fla., who has studied this area for the past 25 years. In a May 15, 1973, letter to President Nixon he said:

A waterway, such as this Canal, has less impact on the environment and resources than highways because a waterway retains the ecological attribute of water that can be the habitat for many animals and aquatic plants and, with good management, can be maintained as a visible ecosystem. In contrast, highways destroy the ecosystems through which they are constructed. More waterways will, as traffic increases, help relieve the construction and wear on highways and may, in the case of Florida, become an economic as well as ecological alternative of increased highway construction.

These relative merits of waterways compared to highways in maintaining more viable ecological attributes, are often overlooked by citizens and scientists who protest the completion of the Cross Florida Barge Canal. (3)

As I mentioned before, what we in the Congress are seeking is to hear both sides of this issue from as many environmentalists as can make contributions in this important matter. There have been questions raised in connection with the canal, but it is only when we study the facts, in proper hearings that we will hear how the questions can be answered and the problems solved, often at no additional costs. For instance, some critics of the canal incorrectly say eutrophication—water deterioration—would be a serious problem, but the Army Corps of Engineers says:

The best tool available to prevent eutrophication—water level fluctuation—costs nothing. Recognizing the need to retard the natural process of eutrophication, the Corps is presently studying plans for an annual water level fluctuation program for Lake Ocklawaha. The literature indicates that this management tool (1) retards eutrophication

by oxidation and compaction of bottom sediment, (2) promotes growth of desirable aquatic vegetation around the shoreline, (3) helps to control undesirable aquatic vegetation, (4) increases growth rates and production of desirable gamefish, (5) results in cropping of forage species and small centrarchids which compete with and prey upon the young of desirable game species such as largemouth bass, (6) induces spawning of game species, (7) provides the proper habitat for young game species, and (8) produces a game species-dominated fishery. (4)

Mr. BAFALIS' argument that "ecological problems almost beyond comprehension" have been created must again be tempered with the fact that engineers and environmentalists have not yet had the opportunity to make known all the facts about the canal and many environmental authorities feel there is no serious problems here at all. What may be beyond the comprehension of some, is just not beyond solution by others.

Congressman BAFALIS said that the excellent sports fishing now being enjoyed along the canal would be short term and soon "trash fish" would begin to populate the canal area greatly reducing its recreational value. Again, the Army Corps of Engineers disagrees:

Lake Ocklawaha is a new reservoir and as such has shown "marked increases in (its) sport fish populations" and has exhibited "excellent harvest success" especially in the past year. With the availability of management techniques, such as water level fluctuation, this high sport fish production and harvest can be maintained indefinitely. Drawdowns offer the best hope for retarding eutrophication and maintaining the fishery, and appears to be a solution to the problem of controlling submersed aquatic vegetation. The statement that Rodman reservoir will peak earlier and harvest success will stabilize at a lower level is speculative and, based on current information, totally incorrect. (5)

The Corps of Engineers also said:

Based upon national reservoir statistics, a boom in fishery production occurs in new impoundments, after which there is a decline. However, the decline, even over a 100-year period, would show a fishery value of nearly \$600,000 per year as compared with a fishery value of the Ocklawaha River of \$26,000. As noted above, with proper management the "boom" period of fishery production could be extended almost indefinitely, at little or no cost. (6)

At the conclusion of Mr. BAFALIS' report, the Forest Service is quoted as saying:

Regardless of the route chosen, the canal will provide a direct infestation route and means of transport of potential pest organisms.

The answer to the criticism is simple. Why have not these mysterious "pest organisms" passed through the Caloosahatchee Canal, the St. Lucie Canal, the Hillsboro Canal, the Ocean Canal, the West Palm Beach Canal, or the other canals that now crisscross the State of Florida, linking the Atlantic and Gulf of Mexico through Lake Okeechobee. These are sea level canals, much more adapted to the flow of sea life and yet there is no reported problem. One more canal could hardly be expected to change the pattern; and, after all, the gulf and the Atlantic Ocean are already open to each

other by nature and have been for millions of years.

The fact is that objectionable sea creatures that currently live in the Gulf of Mexico simply could not survive off the coast of north Florida where the salinity and water temperatures are much different from those in the gulf. Otherwise, they would have come through the natural straits of Florida millions of years ago.

Finally, Mr. BAFALIS argues against the potential submarine threat and says the canal would not give a protective shipping route any longer, because of missile-firing submarines. Well, the truth of the matter is that there is no absolute protection to anything from missile-firing submarines. One round of a Russian nuclear warhead missile from a submarine could obliterate all of New York City and much of the area around it. Our defense against that is our own nuclear deterrence, that is to prevent such a war from occurring. This does not mean that in wars of the future we would not want to have routes of transportation protected as much as we can from attack. And Russians still have and are still building torpedo-type submarines which are undoubtedly what they would use against tankers in a war with the United States, just as the Germans did in World War II. If we get down to the firing of nuclear missiles, there will be plenty of targets which would be more rewarding than a barge or even a barge canal. The value of the canal from a defense standpoint is in a conventional war and it has not been diminished in any respect but has increased in value.

As President Kennedy on June 24, 1963, said:

... The cross-Florida project will provide a major link interconnecting the Gulf of Mexico and Atlantic Intracoastal Waterways, thereby affording a more direct and protected route for waterborne bulk cargos. The project will provide an impetus to the economy of the Southeastern United States and augment strategic materials transport capability in the event of a national emergency. (7)

Finally, I emphasize that this project, which is already well underway, and upon which \$53 million has been spent, should not be killed on an excuse of unfounded assertions on ecology where it has never yet had an ecological adverse report upon it by any Government agency that has made an ecological study of it. When this study has been completed, we will be able to deal totally from fact and not from propaganda. Those who favor the canal and those who oppose could voice their views and reasons and a proper determination could be made.

President Johnson, on February 27, 1964, at the groundbreaking ceremony for the canal said:

God was good to this country. He endowed it with resources unsurpassed in their variety and their abundance. But, in His wisdom, the Creator left some things for men to do for themselves. He gave us great rivers—but left them to run wild in flood, and sometimes to go dry, in drought. He left it to us to make their carriers of commerce. ... He gave us the shallow waters along most of our coastlines which formed natural

routes for protected coastal waterways. But he left it to us to carve out the channels to make them usable. Today we accept another challenge—we make use of another natural resource. We will construct a canal across northern Florida to shorten navigation distances between our Atlantic and Gulf Coasts. When this canal is completed, it will spark new and permanent economic growth. It will accelerate business and industry to locate along its banks. It will open up new recreation areas. The challenge of a modern society is to make the resources of nature useful and beneficial to the community. This is the passkey to economic growth, to sensible and valid prosperity. To create a value where none existed before is to enlarge the hoard of nature's bounty and make it serve the citizenry. This new ribbon of water will enable barges to move across the Florida peninsula a few years from now, bearing commerce between the two sea coasts. In a sense this new canal symbolizes the essential unity that makes a nation out of regions. (8)

For reference, I am adding the sources of my information:

- (1) *Congressional Record*, March 10, 1971, page E1686, Extension of Remarks by Mr. Young of Florida.
- (2) "Geohydrology of the Cross-Florida Barge Canal Area With Special Reference to the Ocala Vicinity", by Glen L. Faulkner, Prepared by the United States Geological Survey, Tallahassee, Florida 1970.
- (3) John H. Davis letter to President Nixon, May 25, 1973.
- (4) "A Brief Assessment of the Ecological Impact of the Cross-Florida Barge Canal Addendum to November 1969 Report Florida Game and Fresh Water Fish Commission," March, 1970, p. 2.
- (5) First Report and Comments, "A Brief Assessment of the Ecological Impact of the Cross-Florida Barge Canal by Game and Fresh Water Fish Commission", November, 1969, and Comments by U.S. Army Corps of Engineers, February, 1970., page 9.
- (6) Same as Number (4), p. 22.
- (7) Speech by President John F. Kennedy, 24 June, 1963 (Doc. 128, 80th Congress, First Session).
- (8) Speech by President Lyndon B. Johnson, 27 February, 1964.

CONGRESSMAN ASPIN ANALYZES THE PENTAGON'S TACTICS BE- FORE CONGRESS

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. KASTENMEIER. Mr. Speaker, the May 27 Washington Post featured an edited version of a recently published article by one of our colleagues, LES ASPIN, who has become known of late as a diligent adversary in the fight to make information about the Pentagon's regular activities public.

"Games the Pentagon Plays" is a fascinating analysis of the problems we face in confronting the Pentagon and the necessity of analyzing our defense needs in light of the kind of domestic and foreign policy we would like to have. It underscores the need to take a close look at the way we are spending the people's money, not only for defense, but in all areas of public interest.

The article appeared in this summer's

issue of Foreign Affairs, and I would like to bring the complete article to the attention of the Members and strongly recommend that they take the time to read Mr. ASPIN's forthright analysis:

GAMES THE PENTAGON PLAYS

(By LES ASPIN)

There are certain things that congressmen know about the Defense Department budget. They know something about cost overruns. They are familiar with some of the fancy new weapons. And certainly they are aware that the Defense Department budget is going up while the Administration is cutting down on all domestic programs. Many even have a feeling that the defense budget ought to be cut. But somehow they don't know how. Confusion and lack of direction reign, and there is a general unwillingness to match their lack of expertise against the military.

This feeling of inadequacy among congressmen arises largely from the way in which the Defense Department budget is presented to Congress. It is not presented in a way in which Congress and the public can understand and actively discuss the major issues in defense. It is, in fact, presented in a way designed to prevent Congress from understanding what is going on.

There are, of course, any number of reasons why Congress is so pathetically inept at controlling military spending. At the top of the list, according to the conventional knowledge, are outworn cold war ideologies, the political might of the weapons industries and Armed Services Committees, whose senior members, for the most part, seem to be under the influence of both. From what I have seen, I would hardly disagree. However, we have overlooked another aspect of the problem, which, with apologies to the late Dr. Eric Berne, I would call: The Games the Pentagon Plays.

Just as Games People Play prevent them from realizing their human potentials by diverting their energies into meaningless interpersonal strategies, the Games the Pentagon Plays (and which, of course, we in Congress play with them) sidetrack congressional attention from the underlying issues of defense policy and into endless, piddling debates on nonexistent issues.

"HOW MUCH IS ENOUGH?"

The overriding issue in defense can be reduced to a simple, straightforward question. That question, rarely discussed in Congress, is "How much is enough?" To have more than enough means wasting the taxpayers' money. To have less than enough means risking national security.

For strategic forces there exists, of course, a whole body of doctrine. As developed and refined through the McNamara years, strategic forces came to be based upon a theory of assured destruction. If the United States had enough forces to absorb a Russian first strike and retaliate to such an extent that it would destroy roughly one-fourth of the Russian population and one-half of the Russian industrial capacity, that was deemed enough. The Soviet Union, so the theory goes, would not commit suicide by starting a nuclear war under those conditions. It was calculated that 400 one-megaton nuclear warheads would be more than enough.

But now a question of judgment comes in. For a really safe policy of assured destruction, some have argued that we need to have some insurance against potential Russian technological breakthroughs, and so the United States would need several ways to deliver those 400 warheads. Others have argued that we need more missiles to target them in a "counterforce" or "war fighting" posture against the enemies' missiles and not just against cities. So some redundancy is argued for. The United States has redundancy both in numbers of warheads (we have

at least 5,900, not 400) and in delivery systems. We have maintained the triad of bombers, ICBM's and SLM's at no small cost. What is more, it appears that we are going to continue to maintain the triad and continue to add to the number of warheads through Mirving—that is converting to Multiple Independent Reentry Vehicles.

What reasons the Nixon Administration has for continually adding to these forces is something Congress does not know. Nor is it ever likely to find out. House Armed Services Committee members are never instructed in strategic forces doctrine nor do they learn about any new theories and variations. Before the Committee, former Secretary of Defense Laird stated only that it is necessary to have more than enough for assured destruction. President Nixon has said that it is important for a President not to rely entirely on attacking population centers in a nuclear war and that, therefore, more warheads are necessary to give him more options.

All of this sounds like early McNamara. In 1962 and 1963 McNamara used to talk in similar terms—about the need for flexibility and nuclear exchanges which are not anti-urban population. But the theory became murky and the scenario became difficult and so McNamara chose, at least for force planning purposes, to rely on assured destruction. It may be that the Nixon-Laird theory of "sufficiency" is nothing more than the earlier Kennedy-McNamara theory of "flexibility."

I say may be because Congress does not know. Congress and its relevant committees do not discuss "assured destruction," "sufficiency," or "flexibility." The question of how much is enough and how to determine how much is enough is so rarely discussed in the House Armed Services Committee that if it comes up at all it comes up only in passing. More important, if it does come up it comes up only from a member's question which Pentagon representatives brush off with an inadequate answer.

Planning for conventional forces also leaves the House Armed Services Committee in the dark. When McNamara took office in 1961, he ordered a study of all possible trouble spots in the world. Assuming the United States was to be involved in all of them many divisions were needed. The study came up with a staggering requirement of 52 divisions. It was then decided that for planning purposes we would assume two major wars and one minor war at one time. While pretty crude, the whole exercise did give the conventional forces posture a semblance of rationality.

When Melvin Laird became Secretary of Defense, the planning assumptions were changed from 2½ wars to 1½ wars and the conventional forces were cut (but not proportionately). However, the rationale for these changes has never been discussed with Congress. Is it that we are not going to keep all the commitments that we had previously made? Or are we still prepared to defend them all but assume that few will erupt simultaneously? Or do we feel that because of improvements in local forces we need fewer U.S. forces to do the same job? These are the kinds of question that ultimately determine the size of the Defense Department's conventional forces budget. There is a vital link between what kind of foreign policy we have and what kind of conventional forces we need. But these are not the question discussed in the House Armed Services Committee.

THE GAMES

To avoid facing the real issues the Pentagon has devised a number of diversionary tactics—plays that it uses when briefing congressmen or testifying before a congressional committee. The Pentagon briefing has not been called a new art form for nothing. Not only is it slick and professional, complete

with colored slides and charts, but it is so devised as to divert the congressmen's attention away from the real issues in defense to a morass of side issues. There are basically five techniques that the Pentagon uses—five games that the Pentagon plays.

I. "The comparison game"

That is, to avoid talking about how much is enough, the Pentagon talks about how much the Russians have or what the Russians are doing. If they have more, we have to have more. If they are building more, in order to keep our lead, we have to build more. Never mind that we already have many times the amount needed for assured destruction. If the Russians have got a hundred new holes in the ground, that means that they are building more missiles and we have to build more missiles.

Sometimes this comparison game is difficult to play because about 85 percent of the comparisons between the Russian and the U.S. forces show us out ahead. It won't help the Pentagon to compare number of warheads, for example—the United States has 5,900 and the Soviet Union has only 2,500. Nor would it do to compare accuracy of weapons; our weapons are more accurate. Nor would it do to compare reliability; U.S. missiles are more reliable. So it is necessary to compare things in which we are behind. Megatons per warhead is one possibility because there the Soviet Union is ahead. Thus, even though megatons are not very important (doubling the megatonnage will increase a missile's destructive capacity by only about 33 percent), the Pentagon compares megatons.

The Pentagon likes to have Congress play these comparison games even though such comparisons are usually irrelevant. The Russians often have different types of forces just because they have different geographical and strategic needs. Congress listens to briefings about how many more submarines the Russians have without once hearing the briefer explain that the Russians are building a large submarine fleet to interdict the U.S. naval supply lines in a time of war, and the United States does not need so many submarines because the Russians do not have long naval supply lines. But the Pentagon does not explain comparisons, it only makes them.

II. "Accentuate the negative"

The Navy is probably better at this game than anybody else in the Pentagon. When necessary, the Navy can come up with a whole new set of statistics to reinforce an otherwise questionable argument. For example, the Navy is currently trying to show that the Russian fleet is increasing so dramatically that it may soon endanger the U.S. Navy on the high seas. To help prove this they have invented a statistic called "ship days in the Mediterranean." Nobody used to talk about "ship days," but now we do—the Pentagon is able to redefine the problem.

One ship spending one day in the Mediterranean is a "ship day in the Mediterranean." If the United States has a single \$1 billion carrier in the Mediterranean, with all its planes and fire power, that's one "ship day in the Mediterranean." The Soviet Union can launch two rowboats armed with machine guns and have two "ship days in the Mediterranean." This is a little facetious, but not very. Russian ships in the Mediterranean of all classes except cruisers are much smaller than their American counterparts—and no Russian ship anywhere approaches one of our attack carriers in size or firepower.

Other statistics used are not quite so phony but are not completely honest either. The Army compares the number of divisions the United States and NATO have in Europe with the number the Russians and the Warsaw Pact have. The Russians have more. A

Russian division is about one-third the size of a U.S. division and has about one-third the firepower, but that is left unsaid.

III. "I'll scratch your back if you scratch mine"

In Pentagon translation this means I will support your questionable weapon system if you support mine.

Each service has at least one major weapon that is vulnerable in the sense that there are people who, for generally excellent reasons, question its usefulness. When this happens there is always the slight possibility that Congress might actually cut the funds for it. Usually this vulnerable weapon is a very expensive prestige item that performs a traditional role for that service—a nuclear carrier for the Navy, a B-1 bomber for the Air Force, and a Main Battle Tank for the Army. When any one of these weapons systems comes under attack, the call goes out to circle the wagons and each service eloquently defends the others' pet projects.

In private, of course, there may be a different point of view. The Air Force has done studies that show the cost of an aircraft carrier is four to seven times more expensive than a land-based wing of aircraft. (Navy studies of the same subject show that the costs are about the same.) If the choice was put on buying either a carrier or another Air Force wing, then service solidarity might break down. But before Congress such a choice is never discussed. All the services will support the Navy's carrier and then all the services will support the Air Force in whatever it wants.

Sometimes this game is played within a service as well as among the services. The Navy, for instance, is sharply divided into the surface navy, the air navy, and the submariners. Those in navy air are the only ones really interested in a new carrier. But by mutual back-scratching, such as a trade-off for Trident, the whole Navy can be brought aboard to support the carrier. Ultimately the American public will find that it has bought a new carrier though even within the military establishment only a small percentage of the people really think it is a wise investment.

IV. "The quantity-quality switch"

When the Pentagon is arguing for a specific weapon, such as the Trident or the B-1 or the F-14, they emphasize quality. Never mind that the F-14 is four times more expensive than the F-4 which it is replacing. The Navy says that it is qualitatively a much better plane and, therefore, well worth the money. However, when it comes time to replace F-4's with the F-14's, we discover that the Navy wants to replace them on a one-for-one basis. If the new planes were that much better, qualitatively, you might have thought that we could do with fewer of them, but now the Navy is arguing quantity.

This game is also played when comparing our forces with those of the Russians. NATO's tactical air forces are much better than the Warsaw Pact's. They have greater payload, greater loiter time, longer pilot training. Indeed, we are paying for this edge in quality. But whenever the Pentagon presents a briefing on the NATO and Warsaw Pact forces, they compare the Warsaw Pact's air force with NATO's air force as if the planes were equal.

V. "Heads I win, tails you lose"

The object of this game is for the Pentagon to place itself in a position to argue for an increase in the Defense Department budget no matter what happens. It goes this way: if the Soviet Union increases its defense budget, that means that the United States must also increase its budget. But if the Russians reduce their defense budget, our high defense expenditures have been successful. Therefore, we ought to increase our defense budget even more.

We saw the "Heads I Win, Tails You Lose" game played during the SALT negotiations. The Administration argued that without an agreement we needed to spend money to update and protect our strategic forces. But it turns out that with an agreement we have to spend money to update and improve all of the forces not covered by that agreement. In addition, the Administration argues that we have to spend more money to create new weapons systems as "bargaining chips" for the SALT talks, although the weapons systems thus created are of dubious military value, and exist solely to be negotiated away. Thus, the defense budget goes up either way.

The best current "Heads I Win, Tails You Lose" game is being played with the U.S. troops in Europe. When there was a crisis in Europe, such as Berlin in 1961, or Czechoslovakia in 1968, that was clearly not the time to reduce our troops there. However, now that there is a relaxation of tensions, the Pentagon argues that our policy of firmness has paid off and that to reduce our forces at this time would jeopardize the peace in Europe. If you cannot reduce troops in Europe when there is crisis and you cannot do it when there is détente, when can you do it? There is no answer to that question. The Pentagon is very adept at getting Congress to play "Heads I Win, Tails You Lose" with them.

THE POWER OF A CONGRESSMAN

These five games are not the only games the Pentagon plays with Congress, but they are some of the major ones. What's more, the Pentagon is winning these games—winning in the sense that through them the Pentagon establishes the way in which Congress looks at the defense budget, establish the parameters of the debate in Congress, and determines what factors are in a congressman's mind when he votes on defense issues.

Against these Pentagon games an individual congressman is nearly powerless. Being on the Armed Services Committee or the Appropriations Defense Subcommittee gives a congressman access to classified information, and that can be marginally helpful in seeing through some of the smokescreens that the Pentagon lays down. But any attempt by individual congressmen to stop Pentagon game-playing is bound to lead to frustration.

An individual congressman has no leverage—nothing he can withhold in order to force the Pentagon to do what he wants. On a committee as pro-military as the House Armed Services Committee (approximately 37-6, hawks to doves), the Pentagon has no particular reason even to care about one vote. In committee hearings a congressman can question a witness for only five minutes, and any witness can filibuster for that long. In questioning witnesses the committee staff is not helpful to hostile members, and a congressman's own staff is not allowed into the all-important closed hearings. A committee member can write letters to the Pentagon and because he is on the committee they will reply. But this means only that they will send back a piece of paper, not necessarily that they will answer the questions. Eventually an individual congressman learns that it is hopeless to try to raise the larger issues, and that if he wants to have any impact at all he must focus on the smaller, less philosophical, more specific issues such as a particular defense contract.

If a change is to come, and if the Pentagon is going to be made to address the basic questions, it is up to the whole Armed Services Committee. That committee has the authority to get any kind of information it wants from the Pentagon simply by holding up the defense budget. The tactic is simple; hearings on the budget are not started until the right issues are discussed—no tickle, no washee. This kind of leverage can make a difference. Only such a committee perform-

ance would be able to change the way the Pentagon treats Congress.

WHO IS ON ARMED SERVICES?

Why the Armed Services Committee does not do this has a lot to do with who is on the Committee, and why. When a congressman first gets elected, one of the things he immediately starts thinking about is how to get re-elected. That is, after all, what politics is all about. To get re-elected, especially for a junior member with no chance to pass important national legislation, constituent service is important. What this means is that if the congressman comes from an area in which a big defense contractor is a major employer, it helps to be on the Armed Services Committee. So junior congressmen with defense constituents aim for the Armed Services Committee (later they acquire too much seniority to change), and as a result the Committee is top-heavy with congressmen who are constituency-oriented on defense.

The constituency-oriented membership of the House Armed Services Committee helps to explain why, for example, in the FY 1972 budget the committee spent less than an hour and passed without amendment the \$2.5 billion "Support to Free World Forces" appropriation (which was virtually all for Indochina) while on the \$1.9 billion request for "military construction" with its massive pork barrel implications, they took 12 meetings, covering a period of three weeks. It also helps to explain why there are so few votes on the House Armed Services Committee to cut the defense budget. Amendments to cut the defense budget, which receive 25 to 30 percent of the votes on the House floor, get in little more than 10 percent of the votes in committee.

The Armed Services Committee is certainly not the only constituency-oriented committee in the House—Agriculture, Merchant Marine and Fisheries, Science and Astronautics have similar problems—but the Armed Services Committee has a peculiar handicap. Members of the Armed Services Committee get no feedback from their constituency at large about how adequate defense is. In any domestic program such as education, congressmen hear not only from the producers (the teachers, school administrators, etc.) but also from the consumers (the parents, school boards) and they do not have to rely solely on HEW to tell them whether or not the education program is working, where it is wasteful, where it should be expanded or cut. But in defense, congressmen hear only from the producers (military contractors and unions) and they have to rely on the Pentagon for information about how well the program is performing. Because of the nature of the information a congressman gets, the Armed Services Committee is typically less concerned about the question of how much we are buying in defense than the question of where we are buying it. The Committee is less concerned about how many DD-963 destroyers the Navy should build, for example, than about who will build them.

This is not to say that the House Armed Services Commission is always a pushover for the Pentagon. The Committee vigorously objects to such charges and at times the Committee actually *does* get tough with a defense contractor—most notably in the non-hardware parts of the Research and Development budget or some aspects of manpower. But basically the Committee, because of its composition, views a rising defense budget with something less than alarm. If it worries at all about the military budget, it is mainly about whether there will be trouble with it on the House floor. The House Armed Services Committee does not force the Pentagon to stop playing games and to address the issue of how much is enough, because the Committee itself is not interested in pursuing that question and is

less than enthusiastic about the House pursuing the question. The end result is that how much is enough is never really discussed in the House, although a number of congressmen (most of them not on the Armed Services Committee) would like to.

If we are ever to start bringing military spending under control, what we need—at the very least—is a true dialogue with the executive branch on defense issues. That is the positive description of what an end to game-playing by the Pentagon would mean. What this requires is that the Armed Services Committee exercise its power to force the Pentagon to address the real issues.

It is fashionable these days to suggest that the problems of the House can be corrected through structural reform. Seniority is one of these issues. While helpful, I don't believe that structural reform alone would bring about the kind of changes we need. Changing the means of choosing committee chairmen would not make a significant difference in the practices of the Armed Services Committee, and it wouldn't much improve our chances for a rational defense policy. Yet I am not completely pessimistic.

There have already been some changes in the House and in the Committee which have not come about through structural changes. The defense budget is no longer the sacred cow that it once was. Outside witnesses who argue for a reduction in defense spending are now permitted to testify before the House Armed Services Committee, and dissent generally is more tolerated on the Armed Services Committee than it has been before. These changes came with a turnabout in the attitudes of the Committee members themselves.

What's more, the pressure which brought about these minor changes is bound to increase. As money becomes scarcer for domestic programs, prices continue to rise and high taxes continue to be unpopular, people are bound to start looking at a bloated defense appropriation and wonder why. Why, for example, is the military asking for more money, not less, now that we're out of Vietnam? Why especially after the SALT agreements, should the military get the peace dividend instead of the taxpayer?

If constituents start asking these questions, it won't be long before congressmen, even those on the House Armed Services Committee, will start getting the message. And through this they may come to believe that their constituency is really much broader than just the defense industries. So the hope for change, I believe, lies in the very impulse that until now has kept the Armed Services Committee a preserve of the military-industrial complex: that is, the wholly natural, self-interested desire of politicians to serve their constituents. And when that change occurs, one of the first things on Congress' agenda will be to stop playing along with the games the Pentagon plays.

JUNE 16, 20TH ANNIVERSARY OF EAST GERMAN PROLETARIAT REVOLT AGAINST COMMUNISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. RARICK. Mr. Speaker, 20 years ago, June 16, 1953, the German workers of East Berlin staged a rebellion against their Communist slave masters that dissipated the utopian promises of communism as a wave of the future.

The rebellion of the German prolet-

tariat against the Bolsheviks Soviet regime has not been forgotten in Germany nor elsewhere around the world where free men are still exploited in the promise of forced freedoms under the dictates of a police state. I insert in the Record one of the few stories that have appeared in America, "The Revolt That Shook Red World" from the June 1973, VFW magazine:

THE REVOLT THAT SHOOK RED WORLD

(By Robert Smythe)

Twenty years ago in June, 1953, Communist East Germany was shaken by a revolt of 2 million people who suddenly defied Soviet dictatorship.

For three days, the workers went to war against their oppressors, dynamiting factories into which they'd been locked like slaves, they tore open prison gates, fought Russian tanks with rocks and faced machine guns with sticks. Some 300,000 men laid down their tools in one of the biggest strikes ever to occur behind the Iron Curtain.

The first demonstrations started on June 16, a Tuesday, when a group of East Berlin construction workers were told their work quotas had been increased by another 10%. At the same time, wages would be lowered by almost a third. Yet there would be no extra food for them.

On the Stalinalee, East Berlin's principal thoroughfare, a few bricklayers walked off the jobs in protest, joined by a dozen carpenters and laborers. At 9 a.m. 80 angry men marched toward the Communist "trade union" office. The doors were locked. Within an hour, their number swelled to a thousand. Mechanics rushed out of garages; painters climbed down scaffolding as the marchers called: "Mates! Come with us!" The throng pushed toward the Alexanderplatz, a large square in the center of East Berlin. Yet it was only the beginning. By noon, the human river had become a torrent. Pale welders, goggles still glued to their foreheads; tired lathe operators and pipefitters in their overalls, black-garbed chimney sweeps; stone masons with wooden boots, flanked by children on rusty bicycles and housewives in clean, threadbare aprons.

That day, 15,000 people moved along Linden Street; 10,000 others met spontaneously at every corner. Like a mighty flood, the crowd swept aside Vopos—Peoples Police—men—and party officials. "To the Wilhelmsstrasse!" workmen called. The masses surged toward the government headquarters.

For years, they'd endured the regime's oppression with patience. Like the Czechs in Pilsen who rose up a few months earlier, these East Germans were rebels with a cause. The tiniest farm belonged to the state. Religion had been squashed and the jails were bursting with the innocent. Conditions in factories had become intolerable. No worker was allowed to move or change jobs. There were 12-hour shifts, including most Sundays. Food was scarce and the workmen's stomachs growled. "Down with the Red Clique!" read one banner. "We Want Freedom!" read another. The dam had broken; the waters now lapped against government offices. But Vopos locked the gates in the demonstrators' faces.

A delegation asked to see Communist officials. When none dared come out of the building, the people cried: "Cowards!" Finally one official, Heinrich Rau, emerged as a representative of Walter Ulbricht, then head of the puppet regime. A table was brought; Rau stepped on it. "Dear comrades!" A bricklayer jumped up beside him. "You are not our comrade!"

"I'm one of you!" Rau said.

"What do you know about work?" the bricklayer cried. "Show the people your hands!"

By afternoon 35,000 workers were striking in East Berlin. Apprentices on bikes raced

to other towns, and the rebellion—still without plan or leadership—spread to dozens of East German communities. In Leipzig, workers picked up the news of the revolt on the West Berlin radio. When Vopos attacked the strikers, their rifles were smashed against curbstones. Workers then rushed to the city and county courts, which had meted out harsh punishments to non-Communists. The gates were locked. But such was their fury "that the workers broke the steel bars with their bare hands." In Magdeburg a train carriage full of political prisoners was disconnected in five minutes and the convicts freed. One was a 74-year-old farmer sentenced for withholding two eggs from the state. In Halle, 60,000 demonstrators gathered. Merseburg factory workers were told: "Who wants to strike, goes to the right. The rest to the left." According to a witness, "All the workers went to the right." (Leipzig, Magdeburg, Merseburg and Halle were captured by American troops in WWII.)

That evening 300,000 men and women were striking behind the Iron Curtain. The Soviets were stunned. It thundered and rained the morning of June 17 as 10,000 attacked the government seat. It was well-guarded by Vopos, whose rubber truncheons beat back a first wave of East Berliners. The men withdrew a few yards, as rain pelted their chests and shoulders. But behind them a new mass of attackers had formed. Among them were women, mostly seamstresses, who fought the policemen with umbrellas. Paper placards grew soggy. So the crowds shouted their messages: "More butter and less police! Better working conditions!" Thousands yelled in unison "Freedom!" ("It was a single-deep-throated, desperate shout that could be heard for miles," a *New York Times* reporter wrote.)

Red bosses locked steelworkers into a factory; gates were pried open and the men started their march to the capital. Their wretched boots came apart; they trod on bare-footed, wet to the skin, too bitter to feel the cold. Tractors pulled hundreds of farm workers into East Berlin.

On their way to East Berlin, other newcomers set fire to the barracks of the hated Vopos. Quarry laborers, still grey with dust, silenced radio stations, stormed Communist party headquarters, smashed offices of "German-Soviet Friendship." Propaganda leaflets were hurled into streets, Communist papers burned. At the Woman's Penitentiary 500 housewives demanded the release of political prisoners. They succeeded.

Indeed, success seemed to be on the side of the crowds. White flags of surrender waved in several Vopos headquarters. Many policemen tossed away their guns. Some Communists were so swayed by cries for freedom that they ripped off party insignia, or tore up their party books. Two young people climbed the Brandenburg Gate, and in the most symbolic gesture of all, pulled down the hammer and sickle flag. Under the noses of Red soldiers, the cloth was shredded. Everywhere, Communists posters and pictures were trampled and burned. Most of the newsstands fell and Stalin's statue lay smashed. (Stalin had died the previous March, but Ulbricht continued his hard line.) Other rebels, suddenly aware of their strength, broke into the headquarters of the once dreaded Secret Police. They threw files from windows and freed the prisoners. The fury had reached a fever pitch. It looked almost as though the puppet regime would be forced to resign.

Suddenly the first Soviet T-34 tank appeared; it fired into the throng; men reached for the only weapons they could find; they threw rocks at the tanks. By midafternoon dozens of Soviet armored vehicles rattled across East Berlin's cobblestones.

Despite machine gun bursts, brave East Berliners climbed the turrets of the metal monsters and tore off their radio antennas. On Leipziger Street, two bold youths stuck

a metal pole between the steel belts. It stopped in its tracks. Other East Berliners pushed fence posts into a T-34's gun barrels, or spread the ground with boulders. In a park, workers advanced arm-in-arm against a firing Soviet machine gun. They marched on, the wounded between them.

Tanks were everywhere now. So was martial law. The whole scene was like Budapest, Hungary, when some three years later the Soviets showed force and battled civilians with tanks, or Prague in 1968.

"The East Berliners had the courage of despair," declared Dr. James B. Conant, then U.S. High Commissioner in Germany. The world watched East Germany with sharp suspense. Pope Plus XII followed events by the hour. West German Chancellor Konrad Adenauer said: "My heart and hopes go with you!" But by the evening, the hopes for free elections vanished in East Germany. They faced two Russian divisions. Armored vehicles and artillery now guarded all major intersections. Russian machine guns were trained on government buildings. Whenever more than three people gathered, Soviet troops started shooting. At least 600 East Germans were killed, 1,800 wounded. Backed by bayonets, Communist courts started to swing into vicious action, too. While the West protested, some 19,000 people were jailed. Communist terror lashed out at the workers, the very men in whose name they ruled.

In time, hundreds of Communist officials were purged. Many East Germans were sentenced to death for leading the revolt. "They rebelled against a system that had disguised slavery under the shabby cloak of socialism," Willy Brandt told West Germans. In Washington, President Dwight D. Eisenhower said the East German "paradise" had finally revealed itself in its true colors. The late Chancellor Adenauer said: "We stand in awe before these brave men." In Bonn, the West German flag flew at half-staff, the 17th of June became a national holiday.

The revolt had not been in vain; work quotas were temporarily eased; wages went up. The regime took a softer line. The rebellion nevertheless sent more East German refugees streaming into the West. Thousands "voted with their feet" by fleeing to West Berlin. Then, in August, 1961, the Communists built the "Wall of Shame." Some 30 miles of barbed wire, rock, bricks and death strip ditches suddenly cut off East from West, brother from brother. And 17 million East Germans found themselves imprisoned once again.

But not for long! Neither booby traps nor mine fields could intimidate freedom seekers. During the past decade, East Berliners have dug 400-foot-long tunnels, jumped from roofs into the West, and swum across the Spree River while Communist patrol boats fired at them. Experts in Soviet affairs doubt there will be a repetition of June 17, 1953. But the rebellion is not forgotten. History sees to that.

FARLEY INTERVIEWED ON 85th BIRTHDAY

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. CAREY of New York. Mr. Speaker, I was privileged to organize and participate in a special order of the House of Representatives, honoring Jim Farley on his 85th birthday. I am pleased that so many of my colleagues were able to send their greetings and best wishes to Mr. Democrat on this occasion.

Jim was kind enough to write and express his heartfelt gratitude to the House for helping him celebrate his birthday in this way. He was particularly touched by the way the many memories were evoked by Members' remarks.

On the occasion of his birthday, on May 30, Jim granted a press conference. I ask unanimous consent that the article that appeared in the *Atlanta Journal* for May 31, 1973, be printed at this point in my remarks. This interview on past and current events provides us all with some insight into the remarkable perspicacity and patriotism of a man who continues to view the Presidency of the United States with nonpartisan respect.

The article follows:

FARLEY MARKS 85TH BIRTHDAY, SAYS WATERGATE AIDS DEMOS

NEW YORK.—James A. Farley, a longtime power in the Democratic party who twice masterminded Franklin D. Roosevelt to the presidency, celebrated his 85th birthday Wednesday doing what he does best—talking about politics.

In his richly furnished Madison Avenue office, Farley, dressed elegantly in a blue suit with white shirt and blue tie, talked about the approaching mayoral election and Watergate.

Speaking on national politics, he said "the situation in Washington is sad."

"The Watergate affair has brought criticism of the presidency unheard of since the Grant and Harding administrations," he said. "Watergate will be in the newspapers for months and the trials and investigations could continue for years."

He said the Watergate scandal will bring more Democrats to the House and Senate in the 1974 elections and "the Republicans don't have a chance in 1976."

Farley, a robust man in splendid physical condition who doesn't look a day over 70, said, "I hope nothing will come of this talk about impeaching the President. It would only hurt the country."

He said he wasn't particularly referring to the plight of President Nixon but to the plight of the office itself.

"I have high regard for the presidential office and any impeachment would divide the country and would be disastrous," Farley said.

Asked who he thought the Democratic standard bearer would be in the next presidential election, Farley, who broke with Roosevelt when his close friend sought a third term, said "It's hard to say." But, he added as an afterthought, "You can't count (Maine Sen. Edmund) Muskie out."

As Farley concluded his news conference, a group of seventh and eighth graders from the James A. Farley Intermediate School in Stony Point, N.Y., entered his office and sang happy birthday to him.

One little girl, asked if she knew who Farley was, replied with a giggle: "I think he was a mail man, or something like that. No, wait a minute. He was postmaster general."

GINGER ROGERS PROPOSES DOLLAR-A-YEAR WOMEN

HON. ROBERT MCCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. MCCLORY. Mr. Speaker, as I indicated in my remarks on the floor yesterday, Miss Ginger Rogers came to our city

and spoke to the members and guests of the Congressional Club. I am proud to be the husband of the club's program chairman, Doris McClory. Her introduction of Miss Rogers, and Ginger Rogers' eloquent remarks are reproduced here for the benefit of my colleagues—and of all Americans:

INTRODUCTION SPEECH FOR GINGER ROGERS
(By Mrs. Robert McClory)

Today we are so privileged to welcome a great star—and lady—to The Congressional Club. You all know that Ginger Rogers started her career in Texas by winning a Charleston Contest at the age of 15. She went on to Broadway and in no time was appearing in the play, *Girl Crazy*. Thence, she went to Hollywood—and I couldn't begin to tell you how many movies—19—before she and Fred Astaire teamed up. Do you know her films would fill six typewritten pages? I must mention that she won an Academy Award for *Kitty Foyle*. Of late, she has done three musicals—*Mame* in London, *Hello Dolly* on Broadway and she has been touring in *Coco*—this, plus frequent appearances on television . . . and since April 1972, Ginger has been Fashion Consultant for the J. C. Penney Company.

However, what you less likely know is that Ginger Rogers is a great force for good in this country. By her example, she has inspired many young people. Everyone who meets Ginger Rogers feels her warmth, her genuine charm, her love of people, her high standards, her sincere convictions about women in the world . . . I think we'll hear more about that right now . . .

What a joy to introduce someone whose friendship I truly treasure . . . the lady who wanted to be a school teacher . . . the indefatigable Miss Ginger Rogers.

ADDRESS BY MISS GINGER ROGERS

Ladies, it is my pleasure to be with you today and to address this important body of important women.

You are a formidable group, you know, because you have been through the political mill . . . and that is an education in itself. You have looked around you and have seen the problems of women . . . reaching out for their proper place in the scheme of things, where their native intelligence, sense of responsibility and resourcefulness may be expended to full capacity.

The woman of today is better educated, more responsible and resourceful than at any time in history. She is giving the lie to that old argument of "inferiority" . . . (inferior to men, that is). Inferiority is a negative attitude . . . It also has no gender. Resourcefulness is a quality of thought . . . so is responsibility.

Recently some friends of mine were speaking together and the word responsibility was used in this way "Responsibility is responding to our God-given ability" I like that! It made me realize that, to the extent I respond, to my God-given ability, to that extent I was capable of being responsible. . . of accepting responsibility. And there's nothing male or female about that, either. I thought I'd pass it on. You might like it too."

There is, in this nation, a vast pool of untapped talent. Tens of thousands of intelligent dependable women whose talents and know-how are only fractionally employed. They are the women of means, with organizing and executive ability, employed in their communities where they are making heroic efforts to bring needed social services with only contributions and donations to sustain their dedication. Most of their time is spent in begging donations . . . which never seem to be enough.

You, no doubt remember the "Dollar-A-Year" men who have served this nation

so nobly and selflessly in the past. Some may be doing it now, I don't know. But—

One of these Dollar-A-Year men, during World War I, an engineer with vast projects all over the world, was appointed by the then president of the United States, to feed the starving nations of Europe, especially in the disaster area of the Balkans.

In a matter of days he requisitioned food and supplies and descended upon these starving people and saved millions of lives. Enlarging his duties by appointment of the Allied Nations, he became Food Commissioner to the Allies and to the United States and kept these nations supplied. He was a "Dollar-A-Year" man, as were most of his staff.

All right then, why not Dollar-A-Year women?

Our social service programs are in shambles. Our children's schools for the handicapped, our senior citizen centers and services, our community day-schools are closing, due to the high costs of "administration of the allotted funds."

The "woman of independent means" who is working today in her community knows more about her community's needs than some bureaucratically appointed, salaried official ever could know. Besides, giving her own services for free, she can marshal the free services of her community women's clubs and organization, and save those, ever-increasing costs of administration.

I wager that, in this room, there is not one among you who does not belong to one or more of these struggling, charitable organizations, either here in Washington, or back home. You know what I'm talking about. You know what an uphill fight these dedicated women have . . . to even make a showing in their communities. And . . . you know what it would mean to these organizations to be able to research the full needs, receive public money, and bring these projects up to the meeting of full need, so no child or senior citizen need be turned away, turned away, that is, by a sign on the budget reading: "NO MORE FUNDS."

In the small city of thirty thousand that has been the shopping center for my Oregon Ranch for the past 30 years, the Women's organizations have created and are operating a school for "Exceptional Children," a "Slow-Reader Children's School," and a "Senior Citizens' Center." They are doing this solely on donations and money-raising projects. The city is growing, the problems are growing; they must turn away many for lack of funds. And following behind these women are their daughters, just as talented, just as dedicated, and with even better executive ability through their studies in social service, in colleges and universities.

Not every woman of independent means could qualify! The "Dollar-A-Year" woman must have independent means and she must have organizing and executive ability already proven in her community. The token salary of a dollar a year, makes her appointment legal and answerable to the source of her funding, be that the Congress, her Governor, the County Commissioner or her Mayor. Her accounting must be legal and accurate. And, I am betting she could even get her C.P.A. work done as a donation!

We must keep our day schools . . . and build more. The working mother with one or more children who is able to hold a job and make her \$100 a week or more, must have a suitable place to leave her children during working hours. This takes her off the welfare rolls, leaves her pride. Nine times out of ten she can return a few dollars a week for this service, thus reducing the operating costs.

To my sense the appointment of "Dollar-A-Year" women is a must. This untapped reservoir of talent must be used. John Kennedy, in his inaugural address said,

"Ask not what your country can do for you. Ask what you can do for your Country." He wasn't speaking to "Men Only."

These talented women are waiting in the wings. Baffled by the withdrawal of Government funds. Asking how—how can they step into the breach and keep alive these closing services, with only donations and contributions? They are willing and ready to serve their Country . . . and it is high time someone did something for the country without remuneration.

Of course, the egg-heads, the ultra-liberal, the have-nots will scream at the idea of a wealthy woman controlling these funds. I say, let them scream! They are accepting her freely given charity now, and keeping very still about it. They screamed at the bureaucratic dispenser, too. They will soon find they are better off than before the "dollar-a-year" woman took over.

Going back to that wealthy mining engineer who was appointed as Food Commissioner to the Allied Nations and the United States during the First World War; our most famous "Dollar-a-Year" man, became in 1929 our 31st President, Herbert Hoover. And as President, he was still a "Dollar-a-Year" Man.

Is it so unthinkable to suppose that . . . say in 1988, one of our Dollar-A-Year women should become Madam President?

There. I've said it . . . and I'm glad. Thank you.

LEARNING IN NEW YORK

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. RANGEL. Mr. Speaker, nothing concerns the citizens and public officials of New York City more than the state that our public school system is now in.

A recent New York Post series dealing with the overall condition of New York City included an article on our schools. I now submit the New York Post article entitled, "Schools: A System in Trouble": [From the New York Post, May 11, 1973]

SCHOOLS: A SYSTEM IN TROUBLE

(By Bernard Bard)

Q: What's wrong with the schools?

A: After all the talk about reform and new money (much of it just talk), the large fact is that teaching of basic life skills—reading, writing and arithmetic—is not taking for more and more children. For tens of thousands of children, and their parents, the schools are "failure factories."

Q: How bad is the problem?

A: The latest figures from the Board of Education (March, 1973) show that 66.3 per cent of the city's elementary pupils and 71.3 per cent of the junior high and intermediate school pupils are reading below grade level.

Q: Is this pattern spread uniformly around the city?

A: It's worst in schools with poor children, often the opposite in schools with pupils from middle-class or well-to-do families. In four districts—Brooklyn's 22 (Midwood-Sheephead Bay), Queens 25 (Flushing-Whitestone) and 26 (Bayside-Douglaston) and Staten Island's 31—average scores exceeded national norms.

The state's Fleischmann Commission, appointed by Gov. Rockefeller and charged with investigating every facet of public education in the state, said last fall that the city schools were a "dual system" in which white children learned to read above na-

tional norms and most black and Hispanic children came out virtually illiterate.

Q: What are the odds for—or against—a city child making it in public school?

A: According to the Fleischmann Commission, the chances are four to one against a 9th grader obtaining an academic diploma—the usual “ticket” to college—and four chances in 10 that he won’t graduate from high school with any kind of diploma.

Q: Who’s to blame?

A: There are almost as many culprits as there are analysts. Most teachers, and their official spokesmen, put a large share of the blame on poverty, the absence of stimulus at home. “Achievement levels have gone down,” says Albert Shanker, president of the United Federation of Teachers, “because the socioeconomic class of pupil population continues to change at a pretty rapid rate.”

To Dr. Kenneth B. Clark, a member of the State Board of Regents, the placing of blame on family deprivation is “double-talk” and “alibi.” He says the fault lies with teachers who do not teach, unions that block reforms, and an educational establishment that is indifferent to the fate of poor black and Hispanic children. “They are regarded as subhumans, as non-educable. They are expected to fail,” says Clark.

Q: Do educators know what they are doing?

A: It’s arguable. Manny Fleischmann, the Buffalo lawyer who headed the three-year \$1.7-million study commissioned by Albany, says it came as a shock to learn during his investigation that “after thousands of years of effort there was still wide disagreement on such an elementary matter as the best method of teaching children to read.”

In a similar vein, Board of Education vice-president Seymour P. Lachman said not long ago, “I have been amazed and dismayed to discover . . . how little we know about the fundamentals of education, and how a student actually learns to read or write or to think analytically . . .”

Q: Is money the problem?

A: Partially, but this is not the whole story. It is true, as former Chancellor Harvey B. Scribner observed last spring before his departure from 110 Livingstone St., that the city schools had taken a 13 per cent budget cut over the previous two years that lost them 3500 teaching positions.

It is also true that some of the cuts hit hardest at “inner-city” schools such as Community School 31 in East Harlem, which scored near the bottom in the last citywide reading tests, lost many teachers especially trained in a new reading method, together with its one-hour daily reading program and after-school tutorials. It is also true that education is a classic example of institutionalized ineptness and money-wasting. For instance, with all the concern about reading-retardation, Dr. Anthony Polemini, head of the school system’s Bureau of Educational Research, admits:

“Too many approaches to the reading problem have been disparate and uncoordinated. Millions of dollars have been spent on reading programs with questionable feedback.”

Beyond that, the city school system (probably like most school systems) operates to protect the economic self-interest of teachers and supervisors as a first priority. In times of budget cuts, the order of layoffs is dictated by rules of seniority, so that C.S. 31 loses its specially-trained reading teachers because they were the last hired, and Community School District No. 3 (west of Central Park) lost some specially-trained substitutes who took special training in the “open corridors” approach to early-childhood education.

In the 1972-73 school year, while the school budget went up by \$200 million, virtually all the money went to mandated raises and for pension and welfare costs. And the

Fleischmann Commission noted that the Board of Education’s “swollen pension system” is far more generous than the best that private industry has to offer. Manny Fleischmann came to the conclusion that while education is underfinanced, there could be a lot more bang for the buck “if the public insisted on getting its money’s worth.”

Q: Wasn’t school decentralization intended to counter school failure?

A: Decentralization was voted in 1969 by the Legislature as the followup to demands and pressures for the breaking-up of the centralized system into more manageable units. It was felt that this would bring the schools closer to the local communities, make them more responsive, more flexible and, presumably, more effective. Decentralization began in 1970, with the first community school board elections that brought out 15 per cent of the eligible vote. New boards were elected (to take office July 1) in last week’s second community board elections.

Thus far, there is no clear evidence that decentralization has improved classroom performance on any kind of wide scale.

Children in districts where reading scores were low are still performing poorly; those in areas where pupils did well in the past are still doing nicely. There have been charges that some community boards are too busy arguing over personnel appointments to pay enough attention to the place where the real action is—the classroom.

It also has been observed that changes in the classroom are pretty much a function of a union contract, negotiated centrally by the central board and the UFT, with community board observers having only a modest impact. Others argue that decentralization only was intended to give some organizational streamlining to a monolithic bureaucracy and never was intended to serve as an educational panacea.

Q: Do the schools teach what is worth learning?

A: There can be as many answers as there are pupils, and their parents, for individuals have different goals. Of one thing there can be no doubt, school is and always has been “hard time,” in the words of New York Times columnist Russell Baker, within which “we were being stuffed with the sort of material which, if amply regurgitated at examination time, would win us high school diplomas . . .”

The city school program is “irrelevant” and dominated by “straitjacketing curricula” that force students and teachers into hours of drill and review rather than learning, according to a 1970 study by a task force of the Citizens Committee for Children.

If there is a good deal of boredom and/or chaos in some high schools (a daily truancy rate of 35 per cent is not considered extraordinary in many schools) the restiveness must be measured against the students’ perceptions of the value of their education. While the curriculum looks “most impressive on paper . . . the degree to which it fails to reach the students is depressing,” said the CCC report.

It is possible that some of the things the CCC was discussing are rooted in sacrosanct high school courses that make no sense, but for the fact that they provide jobs for some teachers.

For instance, Dr. David A. Abramson, retired chief of educational research for the Board of Education, said in a little-noted study early this year (January, 1973) that many required courses in city high schools are worthless to the students and apparently worthless for college admissions as well.

Mandated requirements in English, social studies, math, science and foreign languages prescribed without question for generations of high school students can no longer be justified, said Abramson.

He said the colleges usually require only about half the number of “required” units in academic subjects that the high schools impose on students. Many of the courses, said Abramson in “Teachers College Record” (published by Teachers College, Columbia University), are there by force of habit.

Another factor, Abramson said in an interview, is that teachers are afraid curriculum changes will cost them their jobs. “In that respect,” said Abramson, “teachers are no different from any other occupational group. Their reaction is the same as a book-keeper who resents the intrusion of a computer.”

A few weeks after Abramson’s study appeared, UFT president Shanker said foreign languages must continue to receive “mandated status” in city high schools. Taking note of the “vagaries of educational currents” (foreign language study is slipping in popularity nationwide) Shanker said any curtailment would produce “cultural and academic deprivation” for students and the city.

Presumably, the UFT’s concern is also the jobs of foreign language teachers.

Q: What is the schools’ greatest failure?

A: They are so busy imparting knowledge and information—much of it of questionable worth—that they neglect development of the rational powers of children, their ability to think critically.

Accordingly to Dr. Richard L. Renfield, a former official of the National Education Assn. and American Assn. of School Administrators, the central function of the schools should be the development of powers to reason—the ability to recall and imagine, classify and generalize, compare and evaluate, analyze and synthesize, deduce and infer.

Renfield, in “If Teachers Were Free” (Acropolis Books, 1969) uses science as a model. The scientific method, says Renfield, adopts the strategy “let the facts lead where they may.” The steps in the process: a longing to know and understand, a questioning of all things, a search for data and their meaning, a demand for verification, a respect for logic, consideration of premises, and consideration of consequences.

Hardly ever, says Renfield, do the schools imbue graduates with the scientific spirit.

The reason they don’t, says Renfield, is that the schools too often regard thinking (the exercise of rational powers) as “subversive.”

Q: Is there any way to make educators responsible—accountable—for what they accomplish or fail to accomplish?

A: Educators are notoriously shy of any sort of objective measurements that will hold them up to comparison with our educators, or school systems. Possibly a pioneering step in the direction of “accountability” may come out of a 250-page report from the Educational Testing Service of Princeton, N.J.

It was the result of the work of an “accountability committee” and ETS, brought together under terms of the Board of Education contract with the UFT. Its “design” is intended to pinpoint successful school programs and practices, to identify teacher characteristics that makes a difference and which do not, and to point to where priorities must be reshuffled.

As the accountability proposal now stands, no teacher’s or principal’s job will be threatened, but “corrective action” will be taken to assist the professionals to perform better, presumably by retraining rather than pink slips. The plan has been called “very sensitive to political realities” by those aware of the UFT’s power within the school system, and yet able to produce positive results. The accountability system is supposed to start out with a “small-scale” field test, and become “fully operational” by 1975.

NO GREATER LOVE—CONCERN FOR CHILDREN OF OUR MIA'S

HON. DAN DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DAN DANIEL. Mr. Speaker, 6 years ago, almost to the day, Air Force Maj. Ronald J. Webb of Virginia was captured when his F-4 was downed in North Vietnam. Major Webb was one of that fortunate group of men who returned from the prisoner-of-war camps last March.

In a statement at his press conference at Andrews Air Force Base, just a short time following the welcome home these fine Americans received, Major Webb thanked some of the organizations which had done so much to bring the men home and to ease their families' plight during the time the men were held captive.

I am proud that one group the major singled out for special praise was one in which I serve on the National Advisory Council—"No Greater Love."

"No Greater Love" was born out of concern for the tragic circumstances faced, not only by the POW's themselves, but for the young Americans these men had left behind—their children.

In 1971 a dynamic young woman, Carmella LaSpada took leave of absence from her job, won the backing of such athletes as Brooks Robinson of the Baltimore Orioles, Ted Williams, then manager of the Washington Senators, Johnny Unitas of the Baltimore Colts, and Olympic champion swimmer Don Schollander in a project to win better treatment for the POW's.

Blocked by Hanoi's veil of secrecy regarding the treatment of our men—a secrecy we now know was designed to obscure a system of torture and mental brutality—"No Greater Love" turned its efforts toward the children of these American servicemen. Virtually the entire sports world responded to "No Greater Love's" appeal for assistance for these children.

With unique gifts and personalized recognition from the men and women in professional and amateur athletics, these youths were made aware that someone cared. Sports organizations, teams, sports equipment manufacturers, and media sports coverage personalities combined to donate gifts to be presented to the children of POW/MIA's on Christmas, birthdays, and other significant celebrations. No athlete ever turned down a request for his or her assistance.

Now Major Webb and his companions from those terrible days in Vietnamese and Laotian prisons are home. Their children are, once again, or in many instances for the first time, reunited with their fathers.

But No Greater Love goes on. In fact, the task has become even greater. Not only are the children of our MIA's of great concern to the organization, but, with the support of the American public, No Greater Love hopes to expand to include assistance to the children of Americans who gave "that last full measure of devotion."

On June 14, Flag Day, a presentation ceremony is scheduled in the Rayburn Building, room 2212 at 10 a.m. On that day, just 3 days short of Father's Day, the son of a missing American serviceman will be presented with an American flag which will be flown over the Capitol earlier that morning. No Greater Love's goal in this new program, called Operation Hero Flag, will be to present each of these special young Americans with similarly significant flags on their missing fathers' birthdays.

The first flag will be presented, appropriately, by a former POW. There will also be represented at this ceremony, numerous personalities from the sports world as well as our colleagues who are members of the National Advisory Council and all others who wish to share in this worthy endeavor.

I would like to take this opportunity to invite all of the Members of Congress, from the House and from the Senate, to attend the ceremony and demonstrate that this Nation does not forget those who serve it bravely, including those who also serve at home in the courageous yet heart-rendering circumstances which befall the families of our missing-in-action Americans.

CUTTING BACK ON RECREATION

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. MOLLOHAN. Mr. Speaker, when the press writes about the activities of the Federal Government, the performance of Federal programs and the actions of Federal employees, it often seems to focus only on what is going wrong or on what is not turning out as expected. Therefore, I think it is truly an occasion worth noting when an editor takes the time to closely evaluate a Federal agency and its activities and then writes about the successful work it is doing. That is what the editor of the Wheeling, W. Va., News-Register did in the May 29 edition of that paper. I think my colleagues in the House and the Senate will appreciate what this editor had to say about the performance of the Bureau of Outdoor Recreation:

CUTTING BACK ON RECREATION

Of all the Federal funding programs we have seen in operation over the years, none has been more impressive than the Land and Water Conservation Fund as administered by the U.S. Bureau of Outdoor Recreation.

Area residents have benefited greatly from the BOR programs since many of the more recent improvements at Oglebay and Wheeling Parks have resulted partially from financial assistance provided by this federal fund. The new pool at Wheeling Park, for example, has been one of the major projects completed through a sizeable matching grant from BOR.

The City of Wheeling hopes to carry on extensive upgrading of its neighborhood playgrounds through assistance from the same fund. Many other communities up and down the valley, plus towns and cities throughout West Virginia, are gaining in some instances their first public outdoor recreational facilities because of this federal program. Other

communities are in a position for the first time to acquire open land to be reserved for future recreational use.

Thus we are concerned over the Administration's budget which calls for a 70 to 75 per cent reduction in funding the Land and Water Conservation Fund from the \$300 million appropriated in fiscal 1973 to a level of \$55.223 million in fiscal year '74.

Future development of park and recreation programs at all levels of government will be sharply curtailed and, in some areas, halted completely if Congress approves the Administration's proposed cutbacks. It is to be noted that the states are apportioned a certain amount from the fund annually, retaining a portion for statewide recreational projects and dividing the remaining funds among communities for strictly local projects.

In West Virginia, the immediate problem posed by the proposed cutback is the curtailment of many local projects currently being prepared for submission to the state. The long-range problem is one of determining a meaningful capital improvement program for recreation in the face of fluctuating matching Federal funds.

In testimony before the Senate Committee on Appropriations, the director of the National Recreation and Park Association, Mr. Dwight Rettle, pointed to results of a recent survey which indicate that an overwhelming majority of states will have committed all or nearly all of their apportionment by the end of the present fiscal year and will have either no funds at all, or a very minimal level of carryover to begin fiscal year '74.

The Administration's sincere, but unsubstantiated commitment to full funding in fiscal 1975 offers little relief to the vast number of states that have brought their programs to the current operating level. Also, as time is lost and states allowed to 'catch up,' land costs escalate, options to buy lapse, developers move in, opportunities evaporate and, in the end, the people lose.

Applications for funds are already being discouraged in some states and state and local matching funds for parks and recreation may be lost. In many areas, it has been a difficult struggle to bring state and local government entities to the point of fully recognizing the need for expanded recreational resources and, in turn, committed to raising the necessary matching funds.

Perhaps what has been most pleasing about the administration of the Land and Water Conservation Fund Act has been the ability of the Bureau of Outdoor Recreation to get projects accomplished with a minimum of bureaucratic red tape and waste. That has been Wheeling's experience. Local bodies, such as the Wheeling Park Commission, have found BOR to be a most efficient governmental agency.

Hopefully, the Congress will recognize the outstanding work performed by the bureau and the benefits derived from the program and see to it that proper funding is provided for fiscal year '74. This country needs all of the recreational areas it can develop.

DANGER IN WATERGATE EXCESSES

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DERWINSKI. Mr. Speaker, a growing public complaint is that certain segments of the news media have overworked the stories on Watergate. This point is very effectively made in an edi-

torial carried in the Lansing, Ill., Sun Journal of Thursday, May 31:

DANGER IN WATERGATE EXCESSES

American journalism is enjoying one of its finest hours with the exposure of the rottenness of institutional politics in the Watergate scandal. Courageous newspapermen have won the honors of their profession and praise from a grateful nation.

But the dangers of excesses are all too apparent in the pursuit of the story. Unfounded rumors, unchecked facts and second- and third-hand whispers are being paraded through the same arena in which journalism achieved one of its greatest marks of integrity in generations.

The first disclosures, calling the nation to action and its system of justice to right the wrongs of evil men, silenced the critics of the press and restored the honor it deserves. Now there is a risk that anti-press sentiment will itself rise again in credibility.

Senator William Proxmire, D-Wis., made the point early. The Washington Post agreed that "now is not the time to be reckless," that editors and reporters should insist upon the same documentation now that they required in the original disclosures.

The presidency and the republican form of government must be preserved, whatever the fate of those by whose actions they could be destroyed. At this time the press has no greater responsibility than to its own basic tenets.

We urge the press to restrain the human urge to outdo competitive media and each other with speculation, with the circulation of rumors and gossip, and with baseless sensations as destructive at this time as the original evil.

Investigators in all branches of government are at work to find the facts upon which the system of justice will act.

When the facts are found, the press again will owe it to the public and itself to make them known and the people will decide what must be done under their laws to elevate government and politics again to positions of trust.

The press must remain true to its heritage, to hew to the line and let the chips fall where they may.

But the first command of an honorable profession is to determine where the line is, where the facts lie.

**BASEBALL—NAUGATUCK, CONN.,
STYLE**

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. SARASIN. Mr. Speaker, I would like to take this opportunity to bring to the attention of my colleagues a matter which deserves recognition. Congratulations are in order for a group of young men and their coaches who have given to the community of Naugatuck and to the State of Connecticut a tremendous sense of spirit and pride.

The Naugatuck High School baseball team of recent years have contributed to that sport an uncompromising spirit of sportsmanship, teamwork, and competitive drive of which we are justly proud.

After a while, it becomes a bit difficult to speak of a team that turns in an outstanding record year after year. Recently, Naugatuck's team completed its fourth

consecutive regular season undefeated—an accomplishment second to none.

Briefly, I would like to give recognition to the man whose efforts have been instrumental in establishing Naugatuck's role in that sport. On January 5, 1972, Raymond Legenza, Naugatuck High's baseball coach and athletic director, was recognized and honored by the American Association of College Baseball Coaches as the National Baseball Coach of the Year. This honor was bestowed upon Coach Legenza as a reward for his record as a coach, for his outstanding contribution to the game, and for his demonstration of concern in developing leadership in all of his young men. Time and again it has been remarked that Naugatuck's players are not only fine athletes, but gentlemen as well and again, this may be attributed to Coach Legenza.

After completing their first regular season undefeated, the Greyhounds embarked upon a journey into the pages of baseball history, by establishing a number of milestones. In mid-May of 1971, the Greyhounds surpassed the State's consecutive win record of 35 games—a record which had existed since 1937. After completing their second consecutive undefeated season and capturing two league and State titles, the Greyhounds began closing in on the existing national record of 64 games, established in the mid-1920's. In 1972, well on their way to a third season undefeated, Naugatuck rapidly began to approach the magic number of 65 games—a new national consecutive record. The national spotlight was focused on this small town, its team, and its fans, as Naugatuck concluded its third regular season undefeated. Now with just a few games remaining, the pressure of each day seemed to give the team greater strength. Finally, in early June, Naugatuck won its 64th game and tied the existing mark. Unfortunately, all good things must end and end they did as Naugatuck was defeated by a fine Shelton team in what would have been the Greyhound's 65th victory and uncontested possession of the national record.

Because of their fantastic "streak," the Greyhounds are recognized by the Baseball Hall of Fame as having established a modern national record and in Cooperstown a permanent display has been established in their honor.

I would now like to list their tremendous accomplishments en route to this record. In 21 years of coaching at Naugatuck, Ray Legenza's teams have compiled a record of 346 wins and 75 losses. The teams have established a new State and a modern national record of 64 consecutive games. State championship titles have been earned in 1955, 1963, 1970, 1971, and 1972. They have been the Naugatuck Valley League champions in 11 of 14 seasons. The record for the last 5 years is an incredible 82 wins and 3 losses, having just completed their fourth consecutive regular season, undefeated.

To these young men and their coaches we must offer our congratulations for a job well done, and our best wishes for success in the future.

**WE MUST STOP EXPORTING
SOYBEANS**

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. STEELE. Mr. Speaker, we are all concerned about the skyrocketing cost of food products. One factor which has had a definite inflationary effect on the prices the consumer must ultimately pay has been the scarcity of soybean meal—the main source of protein feed for both poultry and livestock. The price of soybean meal has jumped by 300 percent in the last year.

Several factors can be attributed to this. Among them are this country's enthusiastic desire to develop foreign markets. As a result of last year's record grain exports, the stocks of stored soybeans, which were supposed to last until the next harvest in October, are exhausted. U.S. exports of both soybeans and soybean meal are up nearly 30 percent over last year at this time. In addition, there has been a shortage of railroad cars to move what stored grain remains, due to the massive transport of grain to seaports for shipment to Russia. Torrential rains last year drowned the croplands of the Midwest, especially Illinois, the Nation's largest soybean producer. As of this week, 37 percent of the crop in Illinois has been planted compared to 84 percent a year ago.

As a result of all this, our soybean supply has been drastically reduced, and many economists project the current supply to be insufficient to meet the livestock industry's needs before the new crop soybeans are harvested.

In an attempt to curtail the rising cost of essential food items to the consumer, and to assure an adequate supply of these essential items to the poultry and livestock producers, I am sending a letter to Secretary of Agriculture Earl L. Butz, co-signed by 52 of my colleagues, urging him to impose an immediate moratorium on the export of essential farm feeds such as soybeans and soybean meal. Authority for such action is granted under the Export Administration Act of 1969.

Mr. Speaker, I include a copy of our letter at this point in the RECORD:

JUNE 7, 1973.

The Honorable EARL L. BUTZ,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: The increasing scarcity of soybean meal, the main source of protein feed for both poultry and livestock, is one of the major causes of the continuing escalation of consumer prices for red meat, poultry, eggs, and dairy products. Our country's export of this essential feed ingredient continues to contribute to the astronomical spiral of soybean meal prices and threatens the livelihood of thousands of poultry, dairy and livestock farmers across America.

In the past year, soybean meal prices have increased over 300 percent. Soybean meal could be purchased by livestock producers during the first week of May, 1972, for \$94 per ton (F.O.B. Decatur, Illinois). On May 3, 1973, the price was \$305 per ton. On Wednesday, May 30, soybean meal was quoted at

\$390 per ton . . . an increase of over 300 percent.

Other feeds are escalating in price in what appears to be a reaction to soybean meal prices. For instance, corn was quoted at \$2.32 per bushel on May 30 (F.O.B. Chicago, #2 Corn), compared to \$1.28—on the same day of 1972. As a result of these spiraling prices, farmers are being forced to sell their poultry, livestock and dairy herds because they are unable to meet their cost of production. Figures indicate that the number of broilers, layers, and turkeys will be reduced in the third quarter this year, compared to last year, and you will recall that in 1972, the American consumer wasn't at all pleased with food prices. Lesser supplies of these essential foods will only add to the cost of the American housewife's food bill. Indications are that during the third quarter of 1973, cattle numbers will only be up three percent and swine five percent. These are not encouraging figures.

As a result of our country's enthusiastic desire to develop foreign markets—in combination with the devastating rains and floods in the Midwest which destroyed many soybeans—our soybean supply has been seriously reduced, and many economists project the current supply is insufficient to meet the livestock industry's needs before new crop soybeans are harvested. Some livestock industries are recommending that producers not expand production, that production units be cut-back in order that supply will come in line with demand at prices high enough to meet production costs, and replacement stock not be ordered until after the fall's feed harvest.

Meanwhile, the American consumer will suffer higher food prices as a result of shorter supplies, and it is questionable if a farmer who quits will ever return to such a high financial risk occupation.

We are aware that the United States must take major steps to reduce our trade deficit, but the exportation of soybeans, soybean meal, and other grains, is having a disastrous effect on the American economy. Therefore, to assure an adequate supply of these essential items to the poultry and livestock producers, and to curtail the rising cost of essential food items to the consumer, we strongly urge the following steps be taken:

(1) That the United States government impose a moratorium on the export of essential farm feeds, such as soybean and soybean meal, until the new crop is harvested and proves adequate for our domestic needs, for a period of at least 120 days. We understand you have authority granted under the Export Administration Act of 1969, as amended, to take this action.

(2) That the Cost of Living Council impose restrictive controls on the price of other protein substitutes used in poultry and livestock feeds since it is apparent that their recent rise in prices does not reflect a rise in production cost.

In our opinion these actions would have an important impact on our country's efforts to combat inflation, stop the panic in the commodity markets, and create a steadying influence on the production costs of farm products. What we have witnessed in the grain markets since January of this year has not benefited the American farmer since the majority of feed grains had already been sold to grain companies. Instead of an increase in farm incomes, current feed prices represent inflationary profiteering made possible by the shortage of certain critical crops.

We urge that these steps be implemented as soon as possible to protect the American consumers and farmers during this inflationary period.

Sincerely,

Robert H. Steele, Conn.; Bella Abzug, N.Y.; Joseph Addabbo, N.Y.; Ike Andrews, N.C.; Herman Badillo, N.Y.; Edward Boland, Mass.; George Brown, Calif.

Clair Burgener, Calif.; Yvonne Burke, Calif.; Charles Carney, Ohio; Don Clauson, Calif.; William Cohen, Maine; John Conlan, Ariz.; Silvio O. Conte, Mass.

John Davis, Ga.; Harold Donohue, Mass.; Edwin Eshleman, Pa.; Frank Evans, Colo.; John J. Flynt, Ga.; Joseph M. Gaydos, Pa.; Ella Grasso, Conn.

Bill Gunter, Fla.; James M. Hanley, N.Y.; Julia Butler Hansen, Wash.; Michael Harrington, Mass.; Margaret Heckler, Mass.; Henry Helstoski, N.J.; John Hunt, N.J.

Peter Kyros, Maine; Norman F. Lent, N.Y.; John McFall, Calif.; Stewart McKinney, Conn.; Joseph Minish, N.J.; Robert H. Mollohan, W. Va.; Thomas E. Morgan, Pa.

Morgan Murphy, Ill.; Claude Pepper, Fla.; Ogden Reid, N.Y.; John J. Rhodes, Ariz.; Peter Rodino, N.J.; Robert A. Roe, N.J.; Fred Rooney, Pa.

Benjamin Rosenthal, N.Y.; Ronald A. Sarasin, Conn.; John F. Seiberling, Ohio; Leonor Sullivan, Mo.; Roy Taylor, N.C.; Robert O. Tiernan, R.I.

Frank Thompson, N.J.; Charles A. Vanik, Ohio; Joseph Vigorito, Pa.; Louis C. Wyman, N.H.; Bill Young, Fla.

Mr. Speaker, the urgency of this matter is underscored by the fact that on June 5, 1973, Brazil—currently the world's largest exporter of soybeans—has suspended exports of this feed. This can only result in greater pressure to send to foreign markets those soybean crops which we so desperately need here at home.

We cannot sit by and watch the spiraling inflationary effect of this shortage plague the consumer and obliterate the farmer. As soybean prices increase, so must the cost of poultry. And it is the consumer who must pay.

The present ceiling on red meat prices prevents the meat producer from raising his prices; he alone must bear the burden of any cost increase. Inasmuch as soybean meal and other feeds comprise nearly 75 percent of the cost of producing meat, the escalating costs of soybeans are driving the livestock producers out of business.

It is essential that the Secretary of Agriculture institute a moratorium on soybean exports. Then and only then can we hope to bring equitable stabilization to the American farmer, and reasonable food prices to the grocery counter for the American consumer.

FINAL TRIBUTES TO JACK HARRIGAN

HON. THADDEUS J. DULSKI
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. DULSKI. Mr. Speaker, a few days ago I placed in the RECORD the tributes of some of his contemporaries for the late Jack Horrigan.

Another of his friends from the

Buffalo Evening News has written of Jack's great capacity for inspiring loyalty, and I would like to insert that column at this point:

IN FRIENDSHIP WITH HARRIGAN, WILSON
SHOWED HIS REAL SELF

(By Bob Curran)

Late Monday afternoon I dropped by the office of Murray Light, our managing editor for news, to discuss the many tributes paid to our late friend Jack Horrigan of the Buffalo Bills.

On one of our sports pages that day was an item that said the Bills officials here in Buffalo were trying to get hold of Ralph Wilson, the owner of the team, to notify him of Jack's death. Ralph is traveling in Europe and there was some doubt that they could get hold of him in time to make the funeral.

I can assure you that Ralph Wilson would be among the first to rally to the support of the Horrigan family at any time. A few years back when he heard that the doctors had told Jack his days were numbered, Ralph said he wasn't going to cry on Jack's shoulder.

He told his public relations director that he, Jack, had been blessed in many ways, that he had a good wife and a fine family and many good friends throughout the country. He then added that he would make sure that all of the children's education was paid for. It was not a small gesture as there are nine Horrigan children.

Monday afternoon Murray Light and I were talking about this, remarking that it was too bad most Western New Yorkers don't know this side of Ralph Wilson. It is the side I know very well.

I have been meaning to write about the other side of Ralph for quite a while but something always seems to come up to delay it. Procrastination is a curse of the Irish. However, I felt that this was the time to get to writing about Ralph Wilson.

What made me decide to stop putting it off was the chilling reminder of something else I had put off. A couple of weeks back, I stopped by Roswell Park to interview Dr. Ed Klein. As I was walking down the street outside the hospital, I bumped into Liz Horrigan, who was on her way to see her husband. We talked about Jack and I asked if he was ready for visitors. She said no, but that he would welcome cards.

When I got home that night, I went through my library and took out some books I thought Jack might enjoy. I put them aside with the thought of taking them to the hospital. Somehow, I never got to it.

Then I got the news that Jack was dead.

When I think about Jack, I have to think of Ralph Wilson and their close friendship. And I think of a night in Florida when Ralph and he discussed his return to Buffalo, as vice president for public relations of the Bills.

Prior to that, Jack, originally a Western New Yorker, had been working in New York City. At the time he was public relations director for the American Football League. I was director of sports publicity for NBC. NBC had a big stake in the American Football League and so Jack and I saw a lot of each other. I knew he was not really happy in the area and was delighted that night in Florida when I heard the news about his coming back to Western New York.

Because he was not the type of man to talk about it, the degree of his illness was not known to most people. So I was stunned one day when a real estate man told me that Jack had purposely moved his family to a smaller house that they could handle after he was dead.

There were several mentions in our stories on Monday about the way that Jack helped

find jobs for people. This reminded me of some of the days in New York City that we spent together and usually when we got together in this area we would kick the name of Chuck Jones around a bit.

One day in Toots Shor's Restaurant, Jack introduced me to Chuck Jones—the name has been changed to protect the guilty—who had just arrived in New York. So the next two weeks, Chuck Jones practically lived on my doorstep.

He was trying to publish programs for sports events and ended up in bad shape, but when I think about it now, I remember that it was he who literally took Jack Horrigan by the hand and put him on the plane to the Mayo Clinic, where he got the news about his future.

It was, of course, typical of Jack to bring this up whenever other people were knocking the fallen promoter and this is a character trait that prompted all the tributes written about him all over the country.

Jack Horrigan has been laid to his final rest now. Some 600 people paid their respects at this funeral service, but there must be many, many thousands more whose lives he touched and who will remember him with affection.

The following newspaper story is a brief description of the last services for this well-loved man:

A FINAL TRIBUTE TO JACK HORRIGAN

Friends from every segment of sports—players and former players, coaches and ex-coaches, and executives—along with people who were there because their lives had been touched by the kindness of Jack Horrigan gathered this morning in the Town of Tonawanda for his funeral.

Services for Mr. Horrigan, a vice president of the Buffalo Bills of the National Football League, were held in St. John the Baptist Church.

Participants in the Concelebrated Mass of the Resurrection were:

The Revs. John Doucette, Thomas Beasley, Gerald Heinen, Ron Silverio, Frances Weldgen and Maurice Pliszczatowski, OFM Conv.

The Rev. Heinen delivered the homily, using as his theme the rewards awaiting those who take the time to listen and react to the least of their fellows.

A prayer service conducted by the Rev. Weldgen at the Thomas R. Lynett Funeral Home preceded the Mass.

Included among some 600 in attendance at the Mass were:

Owner Ralph Wilson, General Manager Robert Lustig, Treasurer Richard Morrison, Player Personnel Director Harvey Johnson, Coach Lou Saban and other members of the Bills front office and staff.

Former Bills' players Wray Carlton, Paul Maguire, Charley Ferguson, Booker Edgerison, Tom Day, Ed Rutkowski and Rep. Jack Kemp and former head coach Joe Collier.

Present Bills' players Paul Costa and Walt Patulski.

Don Weiss and Val Pinchbeck of the NFL office and representatives of teams—Jack Steadman and Jim Schaff of the Kansas City Chiefs; Mike Rathet, Miami Dolphins; Ed Kiley, Pittsburgh Steelers; Ernie Accorsi and Chip Campbell, Baltimore Colts; Pat Horne, New England Patriots and Don Smith of the Pro Football Hall of Fame.

From other fields were:

Frank Layden, Niagara University basketball coach; Bob MacKinnon and George Daddario of the Buffalo Braves; Lou Sahadi, New York magazine publisher, and many of Mr. Horrigan's associates from the newspaper world and the broadcast industry.

Burial was in Holy Cross Cemetery, Lackawanna.

HOUSE MEMBERS URGE REVIEW OF U.S. POLICY ON GREECE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. EDWARDS of California. Mr. Speaker, ever since the tide of Greek migration to the United States began at the turn of the 20th century, America has had a special place in the hearts of the Greek people. Our country was looked upon as a land of justice, opportunity, and compassion. This good feeling was emphasized during World War II and afterward when, through the Truman doctrine and the Marshall plan, U.S. aid proved invaluable in saving Greece from totalitarianism and in rebuilding a shattered economy.

Every student of United States-Greece relations know of the close ties which have existed between our two countries. We have truly had a special relationship.

Unfortunately, since the military coup of April 1967, the United States has been identified in the minds of the Greek people with an increasingly unpopular dictatorship.

Recent events point to a deteriorating situation not only within Greece, but also in Greece's relationship with NATO.

A few days ago a group of 81 Congressmen wrote to President Nixon urging that a serious review of U.S. policy on Greece be undertaken.

The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., June 5, 1973.

HON. RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: It is with considerable concern that we are witnessing the deteriorating situation developing in Greece, a N.A.T.O. ally since 1952.

After six years of dictatorship the Greek junta, it seems clear, does not intend to step aside for democracy. Moreover, recent events have badly shaken Greece's relationship with N.A.T.O. The Greek Navy, which has an important N.A.T.O. mission, is in disarray. The Greek Air Force has also been weakened and the unity of Greece's armed forces impaired.

The perpetuation of the abnormal dictatorial conditions and accompanying unrest in Greece will not only jeopardize that nation's military capability but also that of the western alliance. America's strategic, moral, and political interests are at stake.

We therefore respectfully urge that the United States undertake a serious review of our policy regarding Greece.

Respectfully,

Bella S. Abzug, Joseph P. Addabbo, Glenn M. Anderson, John B. Anderson, Frank Annunzio, Thomas L. Ashley, Les Aspin.

Bob Bergland, Jonathan B. Bingham, John Brademas, George E. Brown, Jr., Yvonne Brathwaite Burke, Phillip Burton, Shirley Chisholm.

William (Bill) Clay, Silvio O. Conte, John Conyers, Jr., James C. Corman, John C. Culver, George E. Danielson, Ronald V. Dellums.

Charles C. Diggs, Jr., Robert F. Drinan, Bob Eckhardt, Don Edwards, Paul Findley, William D. Ford, Donald M. Fraser.

Lee H. Hamilton, Michael J. Harrington, Augustus F. Hawkins, Henry Helstoski, Floyd V. Hicks, Elizabeth Holtzman.

James J. Howard, William L. Hungate,

Barbara Jordan, Robert W. Kastenmeier, Edward I. Koch, Robert L. Leggett.

Paul N. McCloskey, Torbert H. Macdonald, Ralph H. Metcalfe, Edward Mezvinsky, Patsy T. Mink, Parren J. Mitchell, John Joseph Moakley.

William S. Moorhead, Charles A. Mosher, John E. Moss, Lucien N. Nedzi, Robert N. C. Nix, David R. Obey, James G. O'Hara.

Bertram L. Podell, Charles B. Rangel, Thomas M. Rees, Ogden R. Reid, Henry S. Reuss, Donald W. Riegle, Jr.

Peter W. Rodino, Jr., Fred B. Rooney, Benjamin S. Rosenthal, Edward R. Roybal, Leo J. Ryan, Paul S. Sarbanes, Patricia Schroeder.

John F. Seiberling, B. F. Sisk, James V. Stanton, Fortney H. (Pete) Stark, Louis Stokes, Gerry E. Studds, Frank Thompson, Jr.

Morris K. Udall, Lionel Van Deerlin, Charles A. Vanik, Jerome R. Waldie, Charles W. Whalen, Jr., Sidney R. Yates, Andrew Young.

NIH INDEPENDENCE THREATENED

HON. JOHN BRADEMAs

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. BRADEMAs. Mr. Speaker, in April one of the Federal Government's most distinguished civil servants retired from the National Institutes of Health after having been unceremoniously demoted to a lesser post from his position as Director.

I refer, of course, to Dr. Robert Q. Marston, who served for 5 years as Director of NIH, first under President Johnson and then for the first term of President Nixon.

In a farewell address, Dr. Marston laid out his dispassionate evaluation of the agency, where he thought it should go, and the ideals that had motivated him through his tenure.

Because Dr. Marston offers the caution that NIH's independence may be compromised, and because this articulate and learned man should be a model to all enlightened Federal officials, I include his remarks to his coworkers in the RECORD:

FAREWELL ADDRESS OF ROBERT Q. MARSTON, M.D., NATIONAL INSTITUTES OF HEALTH, APRIL 27, 1973

It was in the early fall of 1965 that Jim Shannon offered me the job of Associate Director of NIH for the "next two or three years." I commuted back and forth during that fall recruiting the initial staff for Regional Medical Programs and making the transition from academia to Federal service. The "two or three years" have now grown to almost eight years, and when added to the two years that I spent here in the early fifties makes it not only the longest time that I have ever served one institution—but as I have said elsewhere, clearly NIH has been the dominant institution of my professional career.

I have thoroughly enjoyed each aspect of my experience here: intramural scientist; chairman of an outside advisory committee; Associate Director for Regional Medical Programs; again Associate Director, NIH and Acting Director of the National Institute of Neurological Diseases and Stroke; and of course Director, NIH. In addition, for a period of about one-half year I was Administrator of Health Services and Mental Health

Administration. During that exciting period, however, I continued to attend Shannon's staff meetings because the Regional Medical Programs was not actually transferred to HSMHA until about that time that it was decided that I would become Director of NIH.

With so many jobs and so many bosses, it's dangerous to begin naming names. But of the five HEW Secretaries—Gardner, Cohen, Finch, Richardson and Weinberger—I obviously have worked most closely with Wilbur Cohen and Elliot Richardson. I respect both greatly, and enjoyed immensely the working relationship that I had with each. Thus you can understand how much I appreciate the kind words which John Sherman has quoted from Wilbur Cohen and the letter from Elliot Richardson from which excerpts were published in the NIH Record this week. It is worth noting here, that both of these men have, to a high degree, that absolutely essential quality for any Secretary of HEW—a deep concern for and a sensitivity to the needs of people, especially those who may be handicapped by problems of health, ignorance or poverty. Ultimately those responsible for the Nation's health, education and welfare programs both in the Executive and Congressional branches must project to the Nation at large both the image and the reality of such concern and sensitivity.

When I think of other names that should be mentioned today, I run into a serious dilemma. Jim Shannon, John Sherman, and Bob Berliner of course; my immediate OD Staff; Institute and Division and Bureau Directors; intramural, extramural program people—in all more than 10,000 people here at NIH alone, not to mention our whole advisory structure, and then, too, those many individuals from other parts of government—especially my friends from HSMHA and the Department. Nor could I let this time pass without a very special word of appreciation to those members of Congress with whom I've worked over the years—I can only say, "Thanks to all of you for making this the stimulating, exhilarating, experience that it's been for the last eight years." It's been a period of high purpose and great accomplishment in an atmosphere of mutual trust and pleasant associations. It has been a happy place with happy people. Yet if I had to choose a single word to describe NIH, it would have to be the word "quality".

REITERATES SUPPORT FOR NIH INDEPENDENCE

Now I would like to say a few things about NIH, and its future and your future. In so doing it becomes very hard not to repeat things that I have said over and over again as Director of NIH. Indeed, I am a bit embarrassed to find that my speeches fill six rather large filing cabinets. I find in looking over this accumulation that there is almost nothing that I need to say as a private citizen which I did not say as Director of NIH. Thus this public record does spell out, I believe, my strong support—

For the intramural program of NIH; for the new, young scientists, and for their preparation through the training grant mechanism; for the peer review system which has evolved over the years; for basic research, and particularly the principle that applied research should not be expanded at the expense of basic research; and for a balanced biomedical research program—for example, cancer research should not be increased at the expense of other fields of biomedical science.

And this record also expresses my strong conviction—

That scientific management is more important than the blind application of a system of management; that creative people are to be valued more than organizational arrangements or complex plans; and that criticism is a necessary part of science to be

encouraged and not stifled; and that the Library of Medicine is a gem in NIH and in the Nation.

Finally I have taken a special and personal pleasure, because of my own background in education, in working with the Bureau of Health Manpower Education in the difficult job of defining and implementing Federal policy in the area of education for health professionals.

GUIDING PHILOSOPHY: RELIEF IN THE DIGNITY OF MAN

In looking over some of these accumulated documents, I hope that some of my personal philosophy about the relationship of people to people comes through. Perhaps I speak too much from the idealism of one who chose to go into the medical profession, but I believe in the dignity of man—that to treat one another with respect is an expression of strength, not weakness; and that charity is good, not bad; that the power of public office should not be allowed to lead to arrogance; and that we must always remember as public officials that the money we spend is not our own.

I find it somewhat strange to be repeating this litany to you as I leave NIH, and I truly hope that events in the future will prove this to have been an unnecessary exercise—that people in the future, looking back on these statements, will even find them a rather pious, obvious list with which no one could disagree. Yet I repeat the points not as abstract items of philosophy but because of specific concerns often surrounding a specific action or statement within recent months.

NIH: BEING DESTROYED?

Let me say again at this point that I thoroughly enjoyed my work at NIH during the first Nixon Administration, and during the latter part of the Johnson Administration. I have no ax to grind. But I know that you have concerns about some of the points that I have touched on. Let me suggest that you view your concerns against the following background. Dr. Hoagland, Director of the Worcester Foundation, in an article entitled, "Anti-Science—a Growing Danger to America's Health and Pocketbook," makes this comment: "It has taken a quarter century to build up the National Institutes of Health. The support of research has been a model other countries have imitated. The peer review system has given us the best science through a Federal agency with the least political interference of any governmental process ever developed. It is truly one of the great achievements of American government but it is being destroyed."

To the extent that you believe as I do in his basic statement about the importance of NIH, let me urge you to do the following three things: Continue to speak out your beliefs constructively. This is a nation of checks and balances, of free people, and as such it is totally dependent on the willingness of honest men and women to speak honestly their best judgments. This is particularly true in the area of science where hopeless confusion is the inevitable result of distortion of truth. Nations have struggled for years with the problem of maintaining objectivity and the ultimate test of truth in the conduct and the management of biomedical research as that research has been supported increasingly with public funds. The solution in most countries except our own has been to separate medical research from the direct control of Government because of the conviction that the political process is inherently incapable of resisting the temptation to misuse science for its own immediate political needs. Thus, throughout Western Europe the Medical Research Councils tend to be autonomous or semi-autonomous bodies supported by Government, but not controlled by Government. Even in a country such as the USSR, the

Academy of Medical Sciences and not the Ministry of Health, has the major responsibility for the conduct and support of such research in the USSR.

ENLIGHTENED LEADERSHIP: SO FAR

In this country, so far at least, enlightened leadership in both the Executive and Congressional Branches have resulted not only in a sound and healthy growth in biomedical research, but in minimum of attempts to bend science to meet short-term political needs. Of course, a major check on such temptations have been the existence of the NIH peer review system.

This necessary freedom to conduct research in a free environment is sometimes being misunderstood as advocacy for special interest groups on the one hand, and potential disloyalty on the other. Such a misunderstanding could result in what has been feared in other countries, that is a distortion of truth—a substitution of bias for objectivity. Thus, there is a special need today for you to continue to provide your candid professional judgments. Anything else can lead only to outright chaos and would be a serious disservice to the Nation you serve.

Second, do not become too discouraged. I remind you that in 1963 when I became Director of NIH, many people, including the then-President of the United States, commented on the difficulty of the job. Many thought then, as some think now, that the only possible role for NIH was a downward one. Instead, the past five years has been a period of major substantive progress. Indeed, as short a time as a year ago, I was able to tell the appropriation committees of Congress that fiscal 1972 had been a good year for NIH. For the Marston at least this period has been a sort of Shangri-la with a purpose. The work of the NIH is measured in decades and generations, not in weeks, months or even years. No Institution in the world, to my knowledge needs less to be defended. So long as its aspirations remain so high and its accomplishments so unquestioned by competent people its course must continue to be upwards. Of course, as Representative Roy, a physician on our legislative committee, said recently in contrasting the different magnitude of work required to build up rather than discontinue programs, "Any jackass can kick down a barn but it takes a carpenter to build one." Thus one does have to remain alert to attack from the ignorant or intentionally destructive.

REMEMBER THE HUMAN VALUES

Finally, remember the human values. We are dependent on the work of great scientists here and throughout the nation, on teachers and professional people of all levels, but we are also dependent on those who in doing lesser tasks will make it possible for these with special gifts to utilize those gifts optimally. There is unfinished work to be done in the area of equality of opportunity, of abolishment of prejudices of various kinds. Then, too, there will be the invitation to copy harshness and insensitivity that may be seen elsewhere. Times of crisis always bring pressures for friends to fight friends, to forget the broader enemy of disease and ignorance, and to strike out for trivial reasons at those close at hand.

NIH DIRECTOR'S OFFICE A BUFFER

Last week at the Institute Director's meeting I made a special plea that as the Office of the Director, NIH, carries out its necessary role of serving as something of a buffer between "NIH internal" and "NIH external" that people remember the special strains that John Sherman and Bob Berliner have in this interim period, and continue to give them the type of support given me. I am of course keenly disappointed that the promise in December of a new and fully qualified Director of NIH has still not been fulfilled by May.

I do not know how long this delay will continue, but I urge you to support each other and to continue to support John and Bob during the interim.

John Gardner has said that institutions can, in contrast to individuals, age without losing their vigor and effectiveness. They are revitalized by the addition of new people. NIH can continue to evolve as it has done over the past decades, by maintaining its flexibility in the development and implementation of its programs. It needs the competence of the experienced and the vigor and enthusiasm of the new initiates. Today especially, it needs all of you to continue to pull together for the good of the Nation.

Finally let me say how much Ann and I are looking forward to the next phase of our career—that of taking a sabbatical year, as a Scholar-in-Residence at the University of Virginia and a Distinguished Fellow at the Institute of Medicine of the National Academy of Sciences.

IRS PRIVATE RULINGS MADE PUBLIC BY U.S. DISTRICT COURT RULING

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 8, 1973

Mr. VANIK. Mr. Speaker, it has been a shocking policy of the Internal Revenue Service that private rulings have been treated as military secrets. This has not been a question of national security. By staunchly supporting this position, the Internal Revenue Service has contributed to the erosion of public confidence in the fairness of the American tax structure.

The practice of issuing private rulings extended the inequity that already existed in our tax law.

A taxpayer almost always must retain tax counsel from an established law firm in order to successfully obtain a private ruling, a practice which few taxpayers can afford.

In 1971, the Internal Revenue Service issued 32,000 binding secret rulings to those wealthy enough to hire expensive tax lawyers to challenge the Internal Revenue Service. The private ruling process could best be described as "let's make a deal."

In 1969, one corporation received a Christmas gift of a ruling from the Internal Revenue Service which allowed this company to retroactively adopt guideline depreciation—a tax election which had been available since 1962. As a result, for the years 1962 through 1968, the company received \$48,500,000 in refunds plus interest from the Federal Treasury of \$17,500,000. It appears that this \$48,500,000 "excess" tax paid, and later refunded, had been passed on to their customers in a higher rate structure in those years. When refunded, the money and interest were recorded as "extraordinary items." A well-chosen description, "extraordinary item"—the private ruling in itself is extraordinary. This shocking example was not made public.

As a more serious matter, a major corporation or an affluent individual is generally able to learn of private rulings which have been issued to other taxpay-

ers and which he can use to his own advantage. Although these rulings are not known to the general public, they are often made available to select groups in commercial or legal circles.

An objection to making all rulings public has been that such a policy might dry up the rulings process. The Internal Revenue Service would be reluctant to rule in many situations if the rulings would have universal applicability.

I do not see this as objectionable—as a matter of record I would find it desirable.

The tax laws and experts have already unfairly tipped the scales of equity in favor of wealthy individuals and corporate giants. I see no need for "special dispensations" from laws that others must abide by.

The following is a rather historic press release by the plaintiff and the court order of Judge Aubrey E. Robinson, Jr., making public most private rulings of the IRS. This is truly a milestone in public disclosure.

PRESS RELEASE

WASHINGTON, D.C.—A U.S. District Court here has ruled in favor of Tax Analysts and Advocates in its Freedom of Information suit to open to public examination private Internal Revenue Service rulings. In addition, Judge Aubrey E. Robinson ordered that certain related documents be made public, including an index to the rulings. Rulings are official IRS interpretations of the tax laws which are furnished in response to requests by corporations and individual taxpayers.

The basic impact of the court's decision will be to make available to the general public rulings that have been known to date, only by a few select tax lawyers.

As Judge Robinson stated in his 14-page opinion, "private letter rulings are, in fact, widely disseminated among the tax bar and taxpayers with similar interests and problems and . . . the IRS is aware of this practice." Thus, he said, "a body of 'private law' has been created which is accessible to knowledgeable tax practitioners and those able to afford their services. It is only the general public which has been denied access to the IRS' private rulings."

Judge Robinson wrote that "public availability and scrutiny are the very fundamental policies of the Freedom of Information Act. For one fundamental principle is that 'secret law is an abomination.'"

The decision means, for example, that documents pertaining to the controversial acquisition of the Hartford Fire Insurance Co. by the International Telephone and Telegraph Corp. will now be available to the press and public. A favorable tax ruling was key to that acquisition.

TA/A is preparing requests for documents relating to a number of letter rulings, including the one rendered in the ITT-Hartford case.

"This decision will probably result in the most basic change in IRS administrative procedures since the agency was forced by Congress to liberalize its publication practices more than 20 years ago," asserted Thomas F. Field, executive director of TA/A, a Washington-based interest tax law firm.

Prior to 1952, the IRS was publishing a few score rulings each year. At that time it increased the number and it currently averages between 500 and 600 a year out of about 30,000. The rest are so-called "letter rulings"—unpublished letters sent to taxpayers who have asked for an IRS determination of the tax consequences of actions contemplated or already taken.

Many of these are routine but thousands are retained permanently by IRS for reference purposes. TA/A contended, and the

court agreed, that, under the Freedom of Information Act, letter rulings are "interpretations . . . adopted by the agency" and, thus, required to be publicly available.

Judge Robinson's decision means that four types of documents must be made available to the press and the public:

Letter rulings which are used as reference for future rulings.

Technical advice memoranda, which are sent to IRS agents in the field who have been asked for advice about how to handle an audit of a taxpayer.

The index to the private rulings that are used for reference by the IRS.

Correspondence from Congress, business firms and the general public with respect to rulings.

Field disputed comments by some critics who had argued that if TA/A were successful in the suit, it would destroy the IRS rule-making process and delay answers to taxpayer requests for an IRS opinion on their tax problems.

"We are confident on the basis of extended discussions with tax practitioners that the rulemaking process will actually benefit from this decision," Field said. "The process will definitely not be destroyed any more than the judicial system is damaged by making court opinions public."

"As for a slowdown, the net result may actually be faster decisions due to a decreased IRS workload. Public availability of heretofore private rulings will tell all taxpayers what the IRS position is in certain fact situations that may be generally applicable. This will make it unnecessary for many taxpayers to ask for a separate opinion."

Field said that TA/A recognizes that the usefulness of this decision to the public and tax practitioners outside of Washington will be diminished if no practical access to the now-public documents is established. Thus, he said, TA/A will announce next week a service which will enable interested members of the tax bar and the press to obtain such access.

Judge Robinson's decision was made in response to a TA/A request for documents relating to percentage depletion for producers of hard minerals. TA/A wanted to determine whether IRS hearings on proposed (since adopted) percentage depletion regulations (section 613 of the Internal Revenue Code) were, in part, a sham because IRS letter rulings already had committed the agency into a position on the regulations. "If we find that this, indeed, was the case," Field said, "we will consider further legal action."

The suit originally was filed April 28, 1972. Judge Robinson ordered the IRS to make the documents available within 30 days.

The attorney in the suit was William A. Dobrovir, Washington public interest lawyer, who has handled most of the leading freedom of information cases in the past few years.

The decision came less than a week after TA/A accepted a Treasury Department settlement offer in another Freedom of Information suit to require that Treasury open to public scrutiny the Treasury's tax correspondence and formal reports to Congress on tax legislation.

[U.S. District Court for the District of Columbia, Civil Action No. 841-72]

TAX ANALYSTS AND ADVOCATES
THOMAS F. FIELD V. INTERNAL REVENUE SERVICE, ET AL.

ORDER

Upon the considerations expressed in the Opinion entered herein this date, and upon consideration of the entire record, it is this 6th day of June, 1973.

Ordered, that Defendants' Motion for Summary Judgment be and hereby is denied, and it is

Further ordered, that Plaintiffs' Motion for Summary Judgment be and hereby is granted, and it is

Further ordered, that Defendants shall make available to Plaintiffs for inspection and copying within thirty (30) days of date all letter rulings, technical advice memoranda and communications sought by Plaintiffs herein, intact and without deletion, except for those items which, within said thirty (30) days period, Defendants submit

to the Court sealed and intact, without deletion but with any proposed deletions indicated, for in camera review as to whether proposed deletion of information is justified under the Freedom of Information Act, together with a detailed written explanation of the justification for each deletion, and it is

Further ordered, that Defendants shall make available to Plaintiffs for inspection and copying within thirty (30) days of date all items in the Internal Revenue Service's

index-digest reference card file sought by Plaintiffs herein, and all memoranda of conferences and telephone calls relating to the letter rulings and technical advice memoranda involved herein, unless within said thirty (30) day period those items are submitted to the Court for in camera review as to whether they may be properly withheld as internal memoranda within the meaning of exemption 5, 5 U.S.C. § 552(b)(5), of the Freedom of Information Act.

SENATE—Monday, June 11, 1973

The Senate met at 12 o'clock noon and was called to order by Hon. WALTER D. HUDDLESTON, a Senator from the State of Kentucky.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Lord our God, who has watched over us in our separation, draw us close to Thee that we may be closer to one another in understanding and in work.

We pray especially for the youth of this land emerging from the academic world to the arena where life's vocations are fulfilled. May their flowering idealism and dreams of a better world not be crushed by disappointment, cynicism or fear. Give us ears to hear their message and hearts to understand their yearnings. O Lord, be with all the young wherever they may be, on campus, on missions of mercy, at work with their hands and minds, or in the Armed Forces, guarding them in temptation and strengthening them in hours of peril. And to all who labor in the Government, the young and the mature, give that deeper insight and that loftier courage which enables them to act not alone for today, but for the coming day of Thy kingdom.

We pray in the Master's name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, D.C., June 11, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. WALTER D. HUDDLESTON, a Senator from the State of Kentucky, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. HUDDLESTON thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Marks, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. HUDDLESTON) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(The nominations received today are printed at the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed a bill (H.R. 7670) to authorize appropriations for the fiscal year 1974 for certain maritime programs of the Department of Commerce, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 4443) for the relief of Ronald K. Downie.

HOUSE BILL REFERRED

The bill (H.R. 7670) to authorize appropriations for the fiscal year 1974 for certain maritime programs of the Department of Commerce, was read twice by its title and referred to the Committee on Commerce.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, June 8, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees

may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXCLUSIVE TERRITORIAL ARRANGEMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 178, S. 978.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The assistant legislative clerk read as follows:

S. 978. To amend the Federal Trade Commission Act (15 U.S.C. 45) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 6, after the word "trademarked", strike out "food" and insert "soft drink"; in line 13, after the word "if", insert "in such defined geographic area"; in line 14 after the word "in", strike out "free and open" and insert "substantial and effective"; and, in line 17, after the word "in", strike out "free and open" and insert "substantial and effective"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45) is amended by insertion of a new subsection (3) as follows:

"(3) Nothing contained in this Act, or in any of the antitrust Acts, shall render unlawful the inclusion and enforcement in any trademark licensing contract or agreement, pursuant to which the licensee engages in the manufacture (including manufacture by a sublicensee, agent, or subcontractor), distribution, and sale of a trademarked soft drink product, of provisions granting the licensee the sole and exclusive right to manufacture, distribute, and sell such product in a defined geographic area or limiting the licensee, directly or indirectly, to the manufacture, distribution, and sale of such product only for ultimate resale to consumers within a defined geographic area: *Provided*, That this subsection shall apply only if in such defined geographic area (1) such product is in substantial and effective competition with products of the same general class manufactured, distributed, and sold by others, (2) the licensee is in substantial and effective competition with vendors of other